



## CHAPTER V

# Comments and Coordination

### A. Summary of Comments and Coordination

The Missouri Department of Transportation and the Federal Highway Administration have provided numerous opportunities for coordination of the study with the general public and resource agencies. Chapter V of the Draft EIS presents a description of the public involvement and agency coordination programs carried out prior to the release of the Draft EIS.

### B. Distribution of Draft EIS

Notice of Availability for the I-29/35 Draft EIS was published in the Federal Register (Vol. 71, No. 67) on April 7, 2006. The comment period for the Draft ended on May 22, 2006. Approximately 45 printed copies and 30 CDs were distributed to the circulation list printed in Chapter VI of the Draft EIS.

The Draft EIS was hand delivered to 10 public review locations along the corridor in city halls and libraries on March 31, 2006. Copies were also available for public review at the Missouri Department of Transportation (MoDOT) Central Office (Jefferson City, Missouri) and District 4 Office (Lee's Summit, Missouri). The document Summary was available on the MoDOT Web site at [www.modot.org](http://www.modot.org).

### C. Public Hearings

Two open-house public hearings were held:

- Tuesday, May 9, 2006 from 4 to 7 p.m. at the North Kansas City Community Center, 1999 Iron, North Kansas City, MO, and
- Thursday, May 11, 2006 from 4 to 7 p.m. at the Garrison Community Center, 1124 E. 5th Street, Kansas City, MO.

The meetings included a presentation on project background information, exhibits about the recommendations in the Draft EIS, as well as a comment station for written comments, and a court reporter to take verbal comments. To serve Spanish and Vietnamese speaking participants, interpreters for both languages were available at both hearings. Additionally, copies of the Draft EIS Summary were translated to Spanish and Vietnamese and made available at the hearings and on MoDOT's web site.

#### 1. MEETING PUBLICITY

Notice of Availability was printed in the ***Federal Register*** on April 7, 2006.

***Legal notices***, in accordance with MoDOT/FHWA procedures appeared on April 6 in *The Daily Record*, the *Kansas City Star* and the *Sun Tribune*.

**Mailers** announcing the availability of the document, viewing locations, public hearing dates and instructions on how to comment were mailed to more than 1,200 individuals and organizations who had expressed an interest in the project, had property or other interests in the project area or who had been identified as a potential stakeholder.

Both the **MoDOT web site** and the **KCRiverCrossings web site** posted information about public viewing locations, the availability of the Draft EIS Summary on-line, hearing times, dates and locations and information on how to comment on the Draft EIS.

**E-mail** notifications including information about viewing locations, hearing locations and how to make a comment were sent to the following organizations for distribution to their membership:

- Downtown Council
- Regional Transit Alliance
- Missouri River Crossing Committee
- I-29/I35 EIS Community Advisory Group

**Press releases** about the project, including recommendations, information about viewing locations, hearing and how to make a comment were distributed to all major news outlets on 4/17/2006 and 4/25/2006. In addition, MoDOT hosted a one-on-one briefing on the document for reporter Brad Cooper of the *Kansas City Star*.

A **display ad** was placed in the *Kansas City Star*, *Dos Mundos* and *Northeast News* and the *KC Chinese Journal* prior to the public hearing.

- April 26 – *Northeast News*
- April 26 – *Kansas City Star* Northland and City sections
- April 27 – *Dos Mundos* (Ad translated to Spanish)
- May 3 – *Northeast News*\*
- May 3 – *Kansas City Star* Northland and City sections\*
- May 4 – *Dos Mundos* (Ad translated to Spanish)\*
- May 4 – *Kansas City Chinese Journal*\*

\* These ads included information on availability of Summary document in Spanish and Vietnamese on MoDOT web site.

Sponsorships announcing hearing information via Metro Traffic Networks were played on all Kansas City area **radio stations**.

## 2. PRESENTATION

A presentation providing project background information was played for all hearing attendees. The presentation discussed the overall planning process for projects, the project Purpose and Need, the EIS process, key considerations in the Draft document and how to comment on the document.

### a. Exhibits

Hearing participants, after viewing the presentation were invited to view the following exhibits. Exhibits were staffed by members of the Draft EIS team, who answered questions and collected comments from hearing. The exhibits included:

- Welcome/Sign-In Station
- Agenda for the meeting



- Important Information about the Draft EIS including the fact that the suggested alternatives are intended to represent a footprint within which any number of reasonable options might be developed, and the likely impacts of those options.
- I-29 from M-210 to Paseo/Typical Section
- HOV/Transit information
- North Subcorridor information
- North Subcorridor preferred alternative map
- River Crossing Subcorridor information
- Bike/Ped crossing information
- Missouri River Crossing information
- Missouri River Crossing typical sections
- Missouri River Crossing preferred alternative maps (3)
- CBD North Loop Subcorridor information
- CBD North Loop Subcorridor preferred alternative map
- CBD North Loop Subcorridor Ongoing Considerations
- Cultural Resources
- Next Steps
- Thank-You/Comment Station and Court Reporter
- Design-Build Station

## D. Public Comments

A total of 1,170 public comments were received during the comment period for the DEIS. Comments received from agencies, municipalities and other local organizations are addressed later in this chapter.

### 1. GENERAL SUMMARY OF PUBLIC COMMENTS

**Table V-1**  
**Summary of Consistent General Public Comments**

<b>General Public Comment</b>	<b>Count</b>
1. Don't like the proposed M-210/Armour Road interchange because of limited access/support the North Kansas City proposal.	5
2. Attractive materials should be used on the project.	3
3. Concern about safety and access for bicycles and pedestrians trying to cross the Missouri River.	11
4. MoDOT needs to consider doing further analysis/support bicycle and pedestrian accommodations for crossing the Missouri River.	217
5. Bike/pedestrian lane would allow for a stranded motorist to escape.	1
6. Connections to and from a bicycle and pedestrian crossing, including opportunities to connect with the Katy Trail and provide a link in the Quad-State Trails Plan, should be considered.	24
7. A half a mile between crossings is a long way for a pedestrian.	1
8. The project is located in a densely populated area and wherever streets are located that allow bicyclists and pedestrians to operate legally, should allow for that access.	45
9. The design life of the bridge makes flexibility for the future a must.	1

**Table V-1 (continued)**  
**Summary of Consistent General Public Comments**

<b>General Public Comment</b>	<b>Count</b>
10. The EIS should consider how bicyclists and pedestrians will cross all obstacles including railroad tracks and steep grades.	7
11. The bicycle and pedestrian communities should have a voice on design-build committees speaking for the community about the bridge.	11
12. Concerned about the process moving too quickly for proper development and consideration of public input just to accommodate design-build.	42
13. EIS should outline a plan for creating a contiguous bicycle/pedestrian route.	33
14. Federal law says that safe accommodation of pedestrians and bicyclists should be given full consideration during development of federal-aid projects.	56
15. A bicycle and pedestrian crossing should be considered as part of the funding for this project.	39
16. Understand that it may only be possible to fund one bicycle and pedestrian crossing due to financial constraints.	1
17. MoDOT should comply with MARC's bicycle policy.	10
18. There are too many lanes for some of the alternatives.	1
19. Bridge needs to be designed to be multi-modal.	3
20. Bridge should be a signature structure.	1
21. Bridge should be functional, it doesn't matter what it looks like.	2
22. Preserve the existing Paseo Bridge.	2
23. Traffic should be re-routed to 435 and other corridors in the metro, rather than increasing capacity on I-29/35.	3
24. Complete closure of the Paseo Bridge during construction will have negative impacts on businesses.	2
25. CBD is now more housing than businesses and residents need access to services near the suburbs.	1
26. Adding capacity will shift congestion to downtown.	2
27. Traffic studies need to be done on the CBD North Loop Subcorridor.	1
28. Columbus Park has high percentage of elderly and poor who do not drive but they should not be ignored.	1
29. Concerns about emergency access to Columbus Park.	4
30. There should be no street closures in Columbus Park.	8
31. The extension of Independence Avenue west of Cherry through Downtown is good.	1
32. What will happen to property if Cherry is closed?	2
33. Plan forces traffic to leave Columbus Park via 5 <sup>th</sup> Street, which makes it difficult for business customers to park.	6
34. Project will increase traffic and pollution in Columbus Park.	1
35. Concerns about unproven design-build process.	2
36. 23 USC 135 calls for minimizing fuel consumption and air pollution. This project will do the reverse.	1

**Table V-1 (continued)**  
**Summary of Consistent General Public Comments**

<b>General Public Comment</b>	<b>Count</b>
37. MoDOT has ignored concerns from Columbus Park regarding transit, bicycle/pedestrian and impacts and opted for a solution favoring private vehicles.	1
38. EIS should not depend on Northland~Downtown MIS recommendations because these have failed and have no support.	8
39. Why were a combination of approaches not evaluated?	12
40. Heart of America bridge is underutilized, MoDOT should encourage its use through signage.	2
41. Roundabouts at Front Street would support development.	1
42. Project should take four lanes to the top of hill where I-29 splits.	1
43. Plans really only accommodate non-local traffic.	2
44. Traffic is only heavy during rush hour, additional capacity is not needed.	1
45. Other modes of transportation could make contributions to purpose and need/modal choice should be increase.	50
46. Support transit and HOV lanes.	9
47. Reserve space for future transit accommodations.	2
48. Noise barriers further isolate neighborhoods.	1

**1. Don't like the proposed 210/Armour Road interchange because of limited access/support North Kansas City proposal –**

**Response:** The interchanges shown in the DEIS are illustrative concepts used to develop a project footprint and estimate impacts. Specific interchange designs will be further developed during the design-build process. MoDOT is aware of the concerns from the City of North Kansas City and the surrounding businesses about access at M-210/Armour Road. MoDOT is committed to continuing discussions with the City and the community on access management issues through the design-build process.

**2. Attractive materials should be used on the project –**

**Response:** MoDOT is committed to working with the municipalities and the public to develop a context sensitive urban design approach to allow integration of enhancements and determine financial and maintenance responsibilities.

**3. Concern about safety and access for bicycles and pedestrians trying to cross the Missouri River –**

**Response:** The Missouri River is a major barrier for pedestrian and bicycle mobility across the river. Possible access over the river is limited to the existing bridge crossings. MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

**4. MoDOT needs to consider doing further analysis/support bicycle and pedestrian accommodations for crossing the Missouri River –**

**Response:** As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP.

MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or through other public or private funds.

Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward.

**5. Bike/pedestrian lane would allow for a stranded motorist to escape –**

**Response:** Comment noted.

**6. Connections to and from a bicycle and pedestrian crossings should be considered –**

**Response:** Consideration of current and planned bicycle/pedestrian connections related to the Missouri River crossing are discussed in Chapter IV, Section F of the DEIS. MoDOT is will let for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

**7. A half mile between crossings is a long way for a pedestrian –**

**Response:** Comment noted.

**8. The project is located in a densely populated area and wherever streets are located bicyclists and pedestrians should have similar access –**

**Response:** Pedestrian and bicyclist considerations are discussed in the DEIS in Chapter IV, Section F. Sidewalks that currently exist will be replaced. Other pedestrian access will be considered during design. MoDOT is committed to getting input from the community about their interests and concerns related, but not limited to, community cohesion, connectivity and access.

**9. The design life of the bridge makes flexibility in the future a must –**

**Response:** Comment noted.

**10. The EIS should consider how bicyclists and pedestrians will cross all obstacles including railroad tracks and steep grades –**

**Response:** Pedestrian and bicyclist considerations are discussed in the DEIS in Chapter IV, Section F. Sidewalks that currently exist will be replaced. Other pedestrian access will be considered during design. MoDOT is committed to getting input from the community about their interests and concerns related, but not limited to, community cohesion, connectivity and access.

**11. The bicycle and pedestrian communities should have a voice on design-build committees speaking for the community about the bridge –**

**Response:** MoDOT values the input of the impacted communities, including the bicycle and pedestrian communities. The public involvement process before and after the award of the design-build contract allows the public to provide feedback on MoDOT's actions. The Community Advisory Group was formed to represent a snap shot of public input. The representatives were named by civic and elected officials and represent diverse interest, including the handling of bicycle and pedestrian issues. During the design-build portion of the project there will be opportunities for the public to share their concerns and comments during a range of public involvement activities including public meetings before and after the award of the design-build contract.

**12. Concerned about the process moving too quickly for proper development and consideration of public input just to accommodate design-build –**

**Response:** The NEPA process is being conducted in the same manner that it is conducted for all projects of this nature and has not been cut short because design-build is being used to implement the project. In fact the NEPA process began in the Spring of 2004, over two years ago. The public will continue to have the opportunity to provide input throughout the remainder of the NEPA process and into design-build. During the design-build portion of the project there will be opportunities for the public to share their concerns and comments during a range of public involvement activities including public meetings before and after the award of the design-build contract.

**13. EIS should outline a plan for creating a contiguous bicycle/pedestrian route –**

**Response:** Consideration of current and planned bicycle/pedestrian connections related to the Missouri River crossing are discussed in Chapter IV, Section F of the DEIS. MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as this bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

**14. Federal law says that safe accommodation of pedestrians and bicyclists should be considered as part of the funding for this project –**

**Response:** Consideration of current and planned bicycle/pedestrian connections related to the Missouri River crossing are discussed in Chapter IV, Section F of the DEIS. These considerations are now part of the Preferred Alternative and discussed in Chapter II of the FEIS. MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup>

Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

**15. A bicycle and pedestrian crossing should be considered as part of the funding for this projects –**

**Response:** MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds.

**16. Understand that it may only be possible to fund one bicycle and pedestrian crossing due to financial considerations –**

**Response:** Comment noted.

**17. MoDOT should comply with MARC's bicycle policy –**

**Response:** MARC's policy has not been adopted as part of MoDOT's policy. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

**18. There are too many lanes for some of the alternatives –**

**Response:** Comment noted. MoDOT will use phasing to build some of the additional capacity now and reserve space for additional lanes at some time in the future when traffic warrants.

**19. Bridges need to be designed to be multi-modal –**

**Response:** Transit and bicycle/pedestrian options are not precluded by the Preferred Alternative. There is support for, and inclusion of, these other concepts. MoDOT is committed to continued coordination with MARC, Kansas City Area Transportation Authority (KCATA) and others to look for opportunities to support enhancements of transit in the study area. MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

**20. Bridge should be a signature structure –**

**Response:** Comment noted. MoDOT is committed to constructing a noteworthy bridge that the community can support, within the budgetary and scheduling constraints of the design-build project. Detailed design decisions will be made during the design-build portion of this project. One of the goals of the design-build process is to build a noteworthy bridge. MoDOT is working with a community advisory group to get input on the priorities and concerns of the community. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. Further public involvement on the specifics of the bridge type and design is expected to occur following the NEPA process, during the design-build process so that the public can provide input on what they see as the

community's priorities and again once the contractor has been selected and design details are available for the public to provide input on.

**21. Bridge should be functional, it doesn't matter what it looks like –**

**Response:** Comment noted. There have been expressions of interest in providing a noteworthy structure at this crossing of the Missouri River. MoDOT is committed to constructing a noteworthy bridge that the community can support, within the budgetary and scheduling constraints of the design-build project. Detailed design decisions will be made during the design-build portion of this project. One of the goals of the design-build process is to build a noteworthy bridge. MoDOT is working with a community advisory group to get input on the priorities and concerns of the community. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. Further public involvement on the specifics of the bridge type and design is expected to occur following the NEPA process, during the design-build process so that the public can provide input on what they see as the community's priorities and again once the contractor has been selected and design details are available for sharing with the public.

**22. Preserve the existing Paseo Bridge –**

**Response:** Comment noted. This is one of the options that is explored in the DEIS. Detailed design decisions will be made during the design-build portion of this project. One of the goals of the design-build process is to build a noteworthy bridge. MoDOT is working with a community advisory group to get input on the priorities and concerns of the community. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. Further public involvement on the specifics of the bridge type and design is expected to occur following the NEPA process, during the design-build process so that the public can provide input on what they see as the community's priorities and again once the contractor has been selected and design details are available for sharing with the public.

**23. Traffic should be re-routed to 435 and other corridors in the metro, rather than increasing capacity on I-29/35.**

**Response:** The Interstate System, in addition to defense purposes, is for the safe and efficient movement of goods, services and the traveling public. Neither the authority nor the ability to enforce the redirection of traffic traveling through the Kansas City Metropolitan area, or non-CBD oriented local traffic on an interstate highway currently exists. Any restrictions to such use would have to be approved by the Federal Highway Administration. Informational signing could be used to provide suggested routes to travelers through the Kansas City region.

**24. Complete closure of the Paseo Bridge during construction will have negative impacts on businesses –**

**Response:** MoDOT is committed to continuing discussions with the public and key stakeholders regarding community priorities, which includes input regarding closures during construction. A maintenance of traffic plan will be developed for the construction phase of the project. The EIS has identified the possibility that the Paseo Bridge or other portions of the corridor could be closed during all or part of the construction period subject to the details that will be worked out during the design-build process. Public involvement and opportunity for input will continue into the design-build phase of the project when more information

related to the design is available. MoDOT will coordinate with area businesses regarding access issues, via direct communication throughout the construction period.

**25. CBD is now more housing than businesses and residents need access to services near the suburbs –**

**Response:** Comment noted.

**26. Adding capacity will shift congestion to downtown –**

**Response:** Prior to this EIS, the Northland~Downtown MIS looked at the origins and destinations of different types of vehicles. The MIS indicated that 40 percent of traffic entering the Loop was destined to the Loop. This was confirmed in the traffic analysis completed for the EIS. Consideration of the impact of adding vehicle capacity to I-29/35 on the Downtown Loop was given. Model results of the No-Build Alternative indicate traffic congestion would occur within the Loop at the northwest corner, the northeast corner of the Loop. The Preferred Alternative includes adding lane capacity at the northwest and northeast corners of the loop. These components will address traffic volume increases into the loop associated with the initial widening of I-29/35 to six lanes. In the analysis additional loop capacity and operational changes beyond that proposed in this EIS may be needed to maintain Level of Service (LOS) within the Loop with any further widening beyond six lanes of I-29/35. Future potential changes to the Loop and Loop traffic operation issues associated with connectivity intersecting freeways are also discussed in the Loop Master Plan. The LOS for the Build Concepts is discussed in Tables 2-11, 2-12 and 2-13. The LOS analysis summarized in these tables indicates acceptable levels of service on the north side of the Loop.

**27. Traffic studies need to be done on the CBD North Loop Subcorridor –**

**Response:** Traffic analysis was completed for the CBD North Loop Subcorridor. Interchange analysis has been done to show that traffic movements can be accommodated. Traffic information is summarized in the DEIS, Chapter II.

**28. Columbus Park has a high percentage of elderly and poor who do not drive but they should not be ignored –**

**Response:** Comment noted. The Preferred Alternative will not negatively impact current transit and pedestrian access.

**29. Concerns about emergency access to Columbus Park –**

**Response:** The Preferred Alternative will not negatively impact current emergency access.

**30. There should be no street closures in Columbus Park –**

**Response:** The Preferred Alternative will not require street closures or negatively impact current traffic flow patterns.

**31. The extension of Independence Avenue west of Cherry through Downtown is good –**

**Response:** Comment noted. Because of concerns about impacts to business and Columbus Park, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. The Preferred Alternative is now Alternative A. Street access will remain as it is currently in the Columbus Park area.



**32. What will happen to property if Cherry is closed? –**

**Response:** Cherry Street will not be closed. Because of concerns about impacts to business and Columbus Park, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. The Preferred Alternative is now Alternative A. Street access will remain as it is currently in the Columbus Park area.

**33. Plan forces traffic to leave Columbus Park via 5<sup>th</sup> Street, which makes it difficult for business customers to park –**

**Response:** The concerns that were heard regarding Alternative B in the CBD North Loop Subcorridor were related to business and neighborhood impacts and street closures. Based on the concerns voiced by Columbus Park, North Kansas City and others, MoDOT has re-examined the Preferred Alternative in this subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A. Street access will remain as it is currently in the Columbus Park area.

**34. Project will increase traffic and pollution in Columbus Park:**

**Response:** The preferred alternative will provide additional vehicle capacity on the interstate system which will reduce travel on the non-interstate arterial and local street system. The alternatives were tested using the regional travel model. A comparison of the model results between the No-Build and Build Alternatives indicated that with the Build Alternatives, traffic volumes were higher on I-29/35 but were less on other routes. Reduced stop-and-go congestion on I-70/35 and I-29/35 would be expected to reduce localized carbon monoxide pollution for vehicles.

**35. Concerns about unproven design-build process:**

**Response:** Design-build has been used successfully on other projects all over the country. This particular process has been developed to allow as much flexibility as possible while following the environmental clearances provided for through the NEPA process. The process encourages innovations in design, traffic management and construction phasing. The goal of design-build is to deliver the project faster and reduce costs as compared with more traditional approaches.

**36. 23 USC 135 calls for minimizing fuel consumption and air pollution. This project will do the reverse –**

**Response:** The Preferred Alternative is part of a long-range plan that meets air quality conformity with federal standards. Additionally, the project has been shown to reduce regional vehicle miles of travel by providing a more direct connection for regional travelers.

**37. MoDOT has ignored concerns from Columbus Park regarding transit, bicycle/pedestrian and impacts, and has opted for a solution favoring private vehicles –**

**Response:** Chapter II of this document provides further information regarding the approach to the Preferred Alternative. Elements from the concepts that were not carried forward as primary alternatives, such as transit and bicycle/pedestrian concepts, are now included or supported as part of the Preferred Alternative.

**38. EIS should not depend on Northland~Downtown MIS recommendations because these have failed and have no support –**

**Response:** Recommendations from the MIS were further evaluated as part of this EIS process. It would not be appropriate to ignore recommendations from planning studies. Planning studies and the NEPA process are supposed to work together to find the appropriate solution.

**39. Why were a combination of approaches not evaluated? –**

**Response:** Chapter II of this document provides further information regarding the approach to the Preferred Alternative. Elements from the concepts that were not carried forward as primary alternatives, such as transit and bicycle/pedestrian concepts, are now included or supported as part of the Preferred Alternative.

**40. Heart of America bridge is underutilized, MoDOT should encourage greater use through signage –**

**Response:** Comment noted.

**41. Roundabouts at Front Street would support development –**

**Response:** A number of interchange concepts were evaluated in the EIS process. The interchanges shown in the DEIS are illustrative concepts used to develop a project footprint and estimate impacts. Specific interchange designs will be developed during the design-build process. MoDOT is committed to continuing coordination with the Port Authority regarding the interchange layout at Front Street in light of the Port Authority's contribution of funds.

**42. Project should take four lanes to top of the hill where I-29 splits –**

**Response:** For this proposed action, the north terminus of the I-29/35 and I-35/70 Study Corridor is defined at M-210/Armour Road with the south terminus of the study corridor at US 169/Broadway Boulevard on the north side of the CBD Loop. These freeway sections were constructed prior to the designation and construction of an interstate highway system. The project corridor includes the former Sixth Street Expressway (now the north side of the CBD Loop) and the Paseo Boulevard Extension (now part of I-29/35). These sections of I-29/35 and I-35/70 have close interchange spacing, improper lane balance, narrow traffic shoulders and less lane traffic capacity than do adjacent freeway sections to the north of M-210/Armour Road and sections outside the CBD freeway Loop that were built later. This section of freeway is a traffic capacity "bottleneck" and is the focus of the proposed action.

**43. Plans really only accommodate non-local traffic –**

**Response:** The Preferred Alternative provides for additional capacity to move people, goods and services between the Kansas City CBD and the areas north of the Missouri River. This project is part of the interstate highway system which serves local, statewide and interstate travel. Interchange concepts have been developed and are part of the Preferred Alternative. The interchange modification will better accommodate access to local travel destinations.

**44. Traffic is only heavy during rush hour, additional capacity is not needed –**

**Response:** Levels of traffic are higher during the a.m. and p.m. peak hours, although traffic congestion may occur during other time periods. The Preferred Alternative also addresses the safe and efficient movement of people, goods and service.

**45. Other modes of transportation could make contributions to purpose and need/modal choice should be increased –**

**Response:** Chapter II of this document provides further information regarding the approach to the Preferred Alternative. Elements from the concepts that were not carried forward as primary alternatives, such as transit and bicycle/pedestrian concepts, are now included or supported as part of the Preferred Alternative.

**46. Support transit and HOV lanes –**

**Response:** Chapter II of this document provides further information regarding the approach to the Preferred Alternative. Elements from the concepts that were not carried forward as primary alternatives, such as transit and bicycle/pedestrian concepts, are now included or supported as part of the Preferred Alternative. HOV lanes were studied as part of the Major Investment Study (MIS) completed prior to this EIS, and within this EIS.

**47. Reserve space for future transit accommodations –**

**Response:** Space for future widening is included as part of the Preferred Alternative. This future widening will not preclude constructing HOV lanes.

**48. Noise barriers further isolate neighborhoods –**

**Response:** The MoDOT Noise Policy will be used to address noise impacts. Noise abatement measures will be considered that are deemed reasonable, feasible and cost effective. These locations are shown in Exhibit IV-4 in the FEIS. Should the majority of benefited residents concur that noise abatement is desired at these locations, then MoDOT will consider noise abatement. At these locations, possible noise abatement measures will be presented and discussed with the benefited residents during the design phase. If the majority of the benefited residents decide that they do not desire noise abatement for the reasons stated in this comment or others, this will be taken into consideration as to whether abatement will be provided.

**2. SPECIFIC PUBLIC COMMENTS**

**Table V-2  
Summary of Specific Public Comments**

<b>Specific Public Comment</b>	<b>Count</b>
1. Concerns about impacts of pollution during construction, inability to expand because of potential impacts and the possibility of relocating because of these issues.	3
2. Interchange with 210/Armour Road should be freeway to freeway interchange.	1
3. Taney Street access needs to be maintained for local businesses and development. A lack of access is detrimental to business and property values.	8
4. Consideration should be given to making 16 <sup>th</sup> Avenue a full diamond. This is consistent with the City of North Kansas City's discussions to make 16 <sup>th</sup> Avenue a significant east-west corridor.	3
5. Storm water detention plan for area at the northeast corner of I-29/35 and 16 <sup>th</sup> Avenue should be included in the EIS.	1
6. Bicycle and Pedestrian access needs to be provided via the Paseo Bridge as this crossing serves different destinations than the other bridges.	391

**Table V-2 (continued)**  
**Summary of Specific Public Comments**

<b>Specific Public Comment</b>	<b>Count</b>
7. Bicycle and Pedestrian access needs to be provided via the Heart of America. This keeps slower methods of transportation off of the interstate and is more economical.	3
8. Bicycle and Pedestrian access needs to be provided on all river crossings.	75
9. FHWA says bicycle and pedestrian facilities will be incorporated into all transportation projects unless exceptional circumstances exist. The EIS should identify these exceptional circumstances.	14
10. No planning is shown for bicycle and pedestrian access for 210.	1
11. Against closing Cherry Street, which limits Columbus Park access to Admiral and will force those living at the proposed housing project to drive through Columbus Park and force trucks to use Charlotte which is a residential street.	10
12. Make Cherry two-way from Independence to 3 <sup>rd</sup> , so that residents of the proposed housing development would have access without going through Columbus Park.	2
13. Making Holmes and Cherry two-way will isolate residences on Holmes from the rest of the neighborhood and make it unsafe for children at the park.	3
14. Closing of entrance ramp at Troost isolates the neighborhood and impacts businesses who use that access for deliveries, etc.	6
15. Lowering Heart of America to street level will make noise worse.	3
16. Closure of Macon street is having and will continue to have a negative impact on property located at the corner of Macon and Bedford.	2
17. Move project to the West at Bedford to avoid taking Macon.	1
18. Maps and exhibits in the EIS are inadequate, misleading or faulty because of the disclaimers such as "Concept Only" and errors in information in Exhibit III-4.	1
19. Look at opportunity to connect Cliff Dr. and the NE area to the river front, by way of 2 <sup>nd</sup> St. or Dora.	1

**1. Concerns about impacts of pollution during construction, inability to expand because of potential impacts and the possibility of relocating because of these issues on food production business –**

**Response:** A discussion of considerations during construction is included in the DEIS, Chapter IV and in Section S. of Chapter IV in this Final EIS. Efforts to minimize and mitigate environmental impacts are discussed in Chapter IV of the DEIS.

**2. Interchange with 210/Armour Road should be a freeway to freeway interchange –**

**Response:** Because of impacts, a freeway to freeway interchange was not considered as a build alternative. The interchanges shown in the DEIS are illustrative concepts used to develop a project footprint and estimate impacts. Specific interchange designs will be further developed during the design-build process.

**3. Taney Street access needs to be maintained for local businesses and development. A lack of access is detrimental to business and property values –**

**Response:** The interchanges shown in the DEIS are illustrative concepts used to develop a project footprint and estimate impacts. Specific interchange designs will be further developed during the design-build process. MoDOT is aware of the concerns from the City of North Kansas City and the surrounding businesses about access at M-210/Armour Road. MoDOT is committed to continuing discussions with the City and the community on access management issues through the design-build process.

- 4. Consideration should be given to making 16<sup>th</sup> Avenue a full diamond. This is consistent with the City of North Kansas City's discussions to make 16<sup>th</sup> Avenue a significant east-west corridor –**

**Response:** The interchange designs shown in the DEIS are illustrative of the possible options for that location. The 16<sup>th</sup> Avenue interchange is not proposed to be expanded to a full interchange because of the short distances between this interchange and the interchange with M-210/Armour Road. Making this a full interchange would create a difficult weave between merging and diverging traffic at these interchanges. This would go against the goals of the purpose and need which include improving traffic safety and operations.

- 5. Storm water detention plan for area at the northeast corner of I-29/35 and 16<sup>th</sup> Avenue should be included in the EIS –**

**Response:** The information about storm water detention will be available once the detailed design is completed during the design build phase of the project.

- 6. Bicycle and pedestrian access needs to be provided via Paseo Bridge as this crossing serves different destinations than the other bridges –**

**Response:** MoDOT will let for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

- 7. Bicycle and pedestrian access needs to be provided via Heart of America. This keeps slower methods of transportation off of the interstate and is more economical –**

**Response:** The Missouri River is a major barrier for pedestrian and bicycle mobility across the river. MoDOT will let for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

- 8. Bicycle and pedestrian access needs to be provided on all river crossings –**

**Response:** The Missouri River is a major barrier for pedestrian and bicycle mobility across the river. As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP.

MoDOT will let for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012..

- 9. Federal Highway Administration (FHWA) says bicycle and pedestrian facilities will be incorporated into all transportation projects unless exceptional circumstances exist. The EIS should identify these exceptional circumstances –**

**Response:** Title 23 USC 217 states that bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate in conjunction with all new construction and reconstruction of transportation facilities, except where bicycle and pedestrian uses are prohibited.

- 10. No planning is shown for bicycle and pedestrian access for 210 –**

**Response:** Although there are no sidewalks connected to the travel lanes of the I-29/35 facility, there are sidewalks on most of the side streets that cross over or under the facility. At the Armour Road interchange, sidewalks currently exist on the north side of Armour Road and continue through the interchange, but there is no sidewalk on the south side of Armour through the interchange and eastward. Existing sidewalks would be replaced through the interchange to provide pedestrian connections along Armour Road. More discussion about pedestrian and bicyclist considerations is located in Chapter IV, Section F of the DEIS.

- 11. Against closing Cherry Street, which limits Columbus Park access to Admiral and will force those living at the proposed housing project to drive through Columbus Park and force trucks to use Charlotte which is a residential street –**

**Response:** The concerns that were heard regarding Alternative B in the CBD North Loop Subcorridor were related to business and neighborhood impacts and street closures. Based on the concerns voiced by Columbus Park, North Kansas City and others, MoDOT has re-examined the Preferred Alternative in this subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A. Street access will remain as it is currently in the Columbus Park area.

- 12. Make Cherry two-way from Independence to 3<sup>rd</sup>, so that residents of the proposed housing development would have access without going through Columbus Park –**

**Response:** Cherry Street is a local street. Changes to local streets in Columbus Park would require coordination with the City of Kansas City, Missouri. MoDOT has no jurisdiction for local streets.

- 13. Making Holmes and Cherry two-way will isolate residences on Holmes from the rest of the neighborhood and make it unsafe for children at the park –**

**Response:** Cherry Street is a local street. Changes to local streets in Columbus Park would require coordination with the City of Kansas City, Missouri. MoDOT has no jurisdiction for local streets.

- 14. Closing of entrance ramp at Troost isolates the neighborhood and impacts businesses who use the access for deliveries, etc. –**

**Response:** The concerns that were heard regarding Alternative B in the CBD North Loop Subcorridor were related to business and neighborhood impacts and street closures. Based on the concerns voiced by Columbus Park, North Kansas City and others, MoDOT has

re-examined the Preferred Alternative in this subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A. Street access will remain as it is currently in the Columbus Park area.

**15. Lowering Heart of America to street level will make noise worse –**

**Response:** The concerns that were heard regarding Alternative B in the CBD North Loop Subcorridor were related to business and neighborhood impacts and street closures. Based on the concerns voiced by Columbus Park, North Kansas City and others, MoDOT has re-examined the Preferred Alternative in this subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A. The Heart of America bridge will maintain its current profile.

**16. Closure of Macon Street is having and will continue to have a negative impact on property located at the corner of Macon and Bedford –**

**Response:** The interchange designs shown in the DEIS are illustrative of the possible options for that location. Through discussions with stakeholders and through public comments, it was determined to be desirable to maintain access at both Bedford and Levee Road. Braided ramps are shown in the conceptual designs. Braided ramps were considered in order to eliminate a traffic weave at a location where the crash rate exceeds the statewide average for similar facilities (Table I-3 in the DEIS). However, the space required for the braided ramps requires the removal of Macon Street at this location. Access to the properties adjacent to Macon Street would be provided by the network of local streets serving this area. The public will continue to have the opportunity to provide input on the project design into the design-build process when further details related to design will be available.

**17. Move project to the west at Bedford to avoid taking Macon –**

**Response:** The Preferred Alternative shown is the alternative that was found to minimize social, economic and environmental impacts while achieving the goals of the project.

**18. Maps and exhibits in the EIS are inadequate, misleading or faulty because of the disclaimers such as “Concept Only” and errors in information in Exhibit III-4 –**

**Response:** Some of the exhibits shown in the DEIS are labeled “Concept Only” because the design shown in the DEIS are illustrative of the possible options for that location. The project will not go through detailed design until after the NEPA process has been completed, which is typically the case. At this time it is important that the reader understand that the project has not gone through that level of design work and that the comments that are received during the NEPA process may show that a change is needed to address concerns or a new option is presented.

Exhibit III-4 is generated from the Census Bureau’s Topologically Integrated Geographic Encoding Referencing (TIGER) system based on 2000 census data. The original source of the addresses is the Master Address File (MAF) and when an address is matched to the address range in TIGER for a street segment the system forms one of the boundaries of a particular block. In any large-scale statistical operation, like the Census 2000, human- and computer-related errors occur. Such errors include not enumerating every household or every person in the population, not obtaining all required information from the respondents, obtaining incorrect or inconsistent information, and recording information incorrectly. While it is impossible to completely eliminate these types of errors from an operation as large and

complex as the decennial census, the Census Bureau attempts to control the sources of such error during collection and processing operations. Unfortunately it is not possible to go out and verify all of the data contained in the census and to do so is often deemed an invasion of privacy, so that is not done. That also would require judgments about population characteristics and information such as occupancy, which can be difficult to determine. The census data is the best available source of population information at this time.

**19. Look at opportunity to connect Cliff Drive and the NE area to the river front, by way of 2<sup>nd</sup> Street or Dora –**

**Response:** These are local streets. Changes to the local street system would require coordination with the City of Kansas City, Missouri. MoDOT has no jurisdiction for local streets.

## **E. Agency and Organization Comments**

### **1. AGENCY AND ORGANIZATION LETTERS**

On March 24, 2006, the FHWA and MoDOT issued the DEIS for approximately five miles of I-29/35 in Kansas City, Missouri. In accordance with the National Environmental Policy Act and Clean Water Act, substantive comments offered by public agencies, the general public, or other interested parties need to be adequately addressed by the Final EIS. The following section presents the agency and organization review comments received for the DEIS. The 45-day minimum comment period on the DEIS ended on May 22, 2006. All comments received up until publication of this FEIS were responded to and no cut off date was used to exclude comments.

The following letters were received on the DEIS:

- U.S. Coast Guard – April 6, 2006
- Federal Aviation Administration – April 21, 2006
- Federal Transit Authority – April 25, 2006
- U.S. Environmental Protection Agency – May 5, 2006
- North Kansas City Business Council – 05-10-06
- City of North Kansas City, Missouri – 05-16-06
- Clay County Economic Development Council – 05-18-06
- Kansas City Area Transportation Authority – 05-19-06
- Missouri Department of Natural Resources – 05-19-06
- Office of the Mayor, Kansas City, Missouri – 05-19-06
- Columbus Park Community Council – 05-22-06
- Housing Authority of Kansas City, Missouri – 05-22-06
- Missouri Bicycle Federation – 05-22-06
- Port Authority of Kansas City, Missouri – 05-22-06
- Regional Transit Alliance, Downtown Council, American Institute of Architects – Kansas City Chapter and Kansas City Design Center Joint Response – 05-22-06
- River Crossing Committee – 05-22-06
- Sierra Club, Ozark Chapter – 05-22-06
- State Representative Mike Sutherland – 05-22-06
- U.S. Department of Housing and Urban Development – 05-22-06
- City of Kansas City, Missouri Resolution – 05-25-06
- U.S. Department of the Interior – 05-26-06
- Mid-America Regional Council – 05-30-06
- Kansas City, Missouri Board of Parks and Recreation Commissioners – 07-19-06



U.S. Department of  
Homeland Security  
United States  
Coast Guard



Commander  
Eighth Coast Guard District

1222 Spruce Street  
St. Louis, MO 63103-2832  
Staff Symbol: obr  
Phone: (314) 539-3900, Ext 2382  
Fax: (314) 539-3755  
Email:

16591.6/364.81 MOR  
April 6, 2006

Ms. Jen Johnson  
Transportation Planner, HNTB  
715 Kirk Drive  
Kansas City, MO 64105-1310

Subj: PASEO HIGHWAY BRIDGE REPLACEMENT, MILE 364.81, MISSOURI RIVER

Dear Ms. Johnson:

1

Please refer to your letter dated March 31, 2006 regarding the review of the Draft Environmental Impact Statement. The environmental documentation will adequately support an application for a Coast Guard Bridge Permit. If you have any questions or need further assistance, please call Mr. David Orzechowski at the above telephone number.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Wiebusch".

ROGER K. WIEBUSCH  
Bridge Administrator  
By direction of the District Commander



U.S. Department  
Of Transportation

**Federal Aviation  
Administration**

Central Region  
Iowa, Kansas  
Missouri, Nebraska

901 Locust  
Kansas City, Missouri 64106-2325

April 21, 2006

Ms. Peggy Casey  
Environmental Projects Engineer  
Federal Highway Administration  
3220 W. Edgewood, Ste. H  
Jefferson City, MO 65109

Dear Ms. Casey:

2

The Federal Aviation Administration (FAA) reviews other federal Agency environmental from the perspective of the FAA's area of responsibility; that is, whether the proposal will have effects on aviation and other FAA responsibilities. We generally do not provide comments from an environmental standpoint. Therefore, we have reviewed the material furnished with the March 31, 2006, transmittal letter, concerning the Interstate 29/35 Paseo Bridge Corridor in Clay and Jackson Counties, Missouri, and have no comments regarding environmental matters.

However, we remind you that you will need to consider whether or not the project will require formal notice and review from an airspace standpoint. The requirements for this notice may be found in Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace. This regulation is contained under Subchapter E, Airspace of Title 14 of the Code of Federal Regulations. We would like to remind you that if any part of the project exceeds notification criteria under FAR Part 77, notice should be filed at least 30 days prior to the proposed construction date. Questions concerning this matter should be directed to Ms. Brenda Mumper at (816) 329-2524.

Sincerely,

A handwritten signature in blue ink, reading "Mark H. Schenkelberg".

Mark H. Schenkelberg, P.E.  
Environmental Program Manager



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION VII  
Iowa, Kansas,  
Missouri, Nebraska

901 Locust Street  
Suite 404  
Kansas City, MO 64106  
816-329-3920  
816-329-3921 (fax)

April 25, 2006

Ms. Peggy J. Casey, P.E.  
Environmental Project Engineer  
Federal Highway Administration  
3220 W. Edgewood, Ste. H  
Jefferson City, Missouri 65109

Re: Review of March 2006 DEIS  
Interstate 29/35 Paseo Bridge Corridor

Dear Ms. Casey:

We have reviewed the March 2006 Draft Environmental Impact Statement for the Interstate 29/35 Paseo Bridge Corridor. As a result of our review, we offer the following:

3

We note the lack of definition and detail available regarding the alternatives and alignments in the build scenarios, especially regarding configuration of bridge approaches. Often, with a highway project, it is possible to improve transit service efficiency through transit friendly road design. We have seen examples of use of MoDOT right of way for park and ride or bus stop facilities. Since it does not appear that the level of design detail needed to identify such opportunities for transit friendly road design are available at this time, we ask that MoDOT continue to involve the public transit providers, particularly the Kansas City Area Transit Authority, in this project to insure appropriate coordination as the project design develops and is finalized.

If you have any questions or would like additional information, please contact Joni Roeseler at (816) 329-3936.

Sincerely,

Mokhtee Ahmad  
Regional Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

05 MAY 2006

✓ Peggy Casey  
Environmental Projects Engineer  
Federal Highway Administration  
3220 W. Edgewood, Ste. H  
Jefferson City, MO 65109

Kevin Keith  
Chief Engineer  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, MO 65102

Dear Ms. Casey and Mr. Keith:

RE: Interstate 29/35 Paseo Bridge Corridor Draft Environmental Impact Statement

4

In accordance with our responsibilities under Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the Environmental Protection Agency (EPA) has reviewed the above referenced DEIS. This DEIS was assigned a Council on Environmental Quality (CEQ) file number 20060113. Based upon our review, EPA has rated the DEIS as "LO" (Lack of Objections). EPA has appreciated the outreach efforts made through the scoping process, and the opportunities for local residents to comment during that process. We encourage that openness be continued by during the Design-Build process (perhaps most importantly as the decision as to bridge-type is made), and we hope the community retains its opportunity to be an active participant in the process.

If you have any additional questions, please contact Stephen Smith at (913) 551-7656.

Sincerely,

Joseph Cothorn  
NEPA Team Leader  
Environmental Services Division





*"The Voice for North Kansas City Business"*

May 10, 2006

I-29/I-35 Draft EIS  
c/o HNTB  
715 Kirk Drive  
Kansas City, MO 64105

Dear HNTB:

Our organization held its Board of Director's meeting today and are contacting you regarding the proposed I-29/I-35 EIS. We have 1300 businesses in North Kansas City that can be impacted by the proposed changes. Consequently, our organization is very concerned about the consequences these changes can have on our business traffic and ultimately our economy.

Attached are suggested changes for you to consider in moving forward with your plan. Please feel free to contact me if you have additional questions, or would like further comments from our constituency.

Sincerely,

Alice Herman  
Executive Director  
North Kansas City Business Council

Cc: Mayor Gene Bruns  
City of North Kansas City

Ms. Peggy Casey  
Federal Highway Administration

1902 Swift, North Kansas City, Missouri 64116 (816) 472-7700 fax 472-0320



### **Response Summary Regarding the I-35/29 EIS Study**

**North Kansas City Business Council  
1902 Swift  
North Kansas City, MO 64116**

As North Kansas City's professional business organization who works to meet the needs of and address any issues pertaining to the business community, we feel mandated to provide our response to the proposed changes ear-marked in the I-35/29 EIS Study. Because the changes can negatively impact business traffic, commuter traffic and ultimately affect the livelihood of the businessmen and women in our community, we have the following options we would like for you to consider:

- 5A** Maximum access from M-210/Armour Road needs to be maintained at the Ozark and Taney intersections. The proposed modified single point intersection, which would remove the full intersections at Ozark and Taney Streets, presents unacceptable issues for existing businesses and residents. It would also significantly reduce business development opportunities in the area and produce reduced response time for Public Safety services to these impacted areas.
- 5B** Serious consideration should be given towards making 16<sup>th</sup> Street a full intersection by adding an exit and on-ramp for traffic north of this area. This would help reduce significantly traffic at the M-210/Armour Road interchange and provide direct and safer access for the truck traffic since 16<sup>th</sup> street is already designated as the major truck route for this area.
- 5C** Elimination of Macon Street in the Paseo Industrial District will produce major rerouting of traffic within the area and produce much more traffic on Quebec Street, which is not designed for high traffic volumes. While it is obviously critical that full North/South access/egress be maintained, completion of a full interchange at 16<sup>th</sup> Street should allow a significant portion of this traffic to utilize 16<sup>th</sup> Street and help reduce these new problems associated with the Macon closing.
- 5D** Complete closure of the Paseo Bridge creates a considerable burden upon area businesses and other river crossings across the Missouri River. As the Paseo Bridge and associated interchanges are constructed and reconfigured, it is essential that the down-time be minimized and appropriate rerouting alternatives maximize the access and egress for North Kansas City businesses.
- 5E** The Heart of America Bridge and corridor remains a critical connection for both local and interstate commerce. The recommended Alternative B in the EIS at the southern base of this connection reduces considerably the long-term viability for this corridor for moving traffic and commerce. The Business Council asks that this concept be revisited and not be permitted until a more thorough discussion concerning how this would impact the character of this long standing connection in terms of total capacity of the proposed configuration, its future for allowing truck traffic and continued direct connection to the I-70/35 Corridor.

**RESOLUTION NO. 06 - 047****A Resolution Conveying the Position of the City of North Kansas City, Missouri With Respect to the I-29/35 Draft Environmental Impact Statement.**

**WHEREAS**, the Missouri Department of Transportation desires to undertake a project which would intend to the replace the Paseo Bridge and widen the I-29/35 corridor; and

**WHEREAS**, in order to receive federal highway funding, the Missouri Department of Transportation must conduct an environmental review to analyze the impacts, demonstrate the need, and show the feasibility of constructing such a project; and

**WHEREAS**, in performing the environmental review, the I-29/35 Draft Environmental Impact Statement has been prepared and is now available for public comment; and

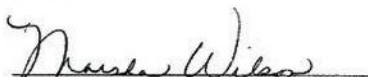
**WHEREAS**, the City of North Kansas City desires to avail itself of the opportunity to provide such comment.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of North Kansas City, Missouri, that the materials to which this resolution is attached represents the position of the Mayor and City Council of the City of North Kansas City, Missouri as they relate to the I-29/35 Draft Environmental Impact Statement.

**DONE** this 16th day of May, 2006.

  
**Gene Bruns, Mayor**

Attest:

  
**Marsha Wilson, City Clerk**

Approved as to Form:

  
**Thomas E. Barzee, City Counselor**

## City of North Kansas City



City Hall  
2010 Howell  
North Kansas City, MO 64116  
(816) 274-6000  
Fax: (816) 421-5046  
www.nkc.org

May 16<sup>th</sup>, 2006

I-29/I-35 Draft EIS  
C/O HNTB  
715 Kirk Drive  
Kansas City, MO. 64105

To Whom It May Concern:

What follows represents the City of North Kansas City, Missouri's response to the I-29/35 Draft Environmental Impact Statement. The City understands that the project of one of mutual importance to both the Missouri Department of Transportation, and the City, and as such we have undertaken a serious and detailed review of the plan. We hope this response will prove helpful, and that our comments can provide real guidance to the department as the process moves forward.

### NORTH SUB-CORRIDOR

#### 6A

#### M-210/Armour Interchange (EIS Reference – Plate Build-02)

Of primary importance to the City of North Kansas City are the proposed improvements to the M-210/Armour Road interchange. We understand that the EIS recommends the removal of the existing cloverleaf style interchange in order to replace it with what we understand is a "modified single-point" interchange. In doing so however, the recommended design imposes three affects to the City's local road network:

1. The planned alternative closes off direct access to Tancy on the north side of M-210/Armour and to the businesses that already exist there and further recommends access via Vernon St.
2. It limits access to Tancy St. on the south side of M-210/Armour to only right-in/right-out traffic, and eliminates signalization of the intersection.
3. To the west of the interchange, the now full signalized intersection at Ozark St. would be limited to westbound right-in/right-out traffic on M-210/Armour.

We question whether this alternative truly meets the following points noted in the statement of Purpose and Need contained within the EIS:

- *Replace the deteriorating infrastructure and improve interchanges*  
While the design may be an improvement from the perspective of the function of the interstate, we do not believe it can be said that it can be an improvement as it relates to the City's local street network. For an interchange to be a true



improvement, it should improve the function of both the interstate and the local streets to which it connects.

- *Improve traffic safety*

Again, while it may be viewed as providing improved traffic safety from the point of view of the interstate, we don't believe the alternative necessarily improves traffic safety on the City's streets, especially as it relates to the functioning of Taney St. and Vernon St. on the north side of M-210/Armour. Further explanation of this concern is noted below.

- *Improve access to the Kansas City Central Business district and other major activity centers*

Again, it may be that the alternative proposed for the EIS does improve access to the Kansas City CBD, but North Kansas City doesn't necessarily believe that it improves access to and from North Kansas City's activity centers.

*The City of North Kansas City must oppose the improvements to the M-210/Armour interchange proposed in the EIS due to the local access problems we believe they will create within the City.*

We do want to recognize and express our appreciation for MoDOT's willingness to have continued discussions with our city representatives regarding other options for this interchange. As discussed below, we believe we have a solution that can meet the needs of both MoDOT and the City.

*M-210/Armour & Taney (North & South sides)*

With regard to the M-210/Armour & Taney intersection, we strongly believe the affects to the City's economic development can only be harmful. We believe that eliminating the north side access in hopes of depending upon access from Vernon will cause the existing businesses to suffer. Directing all access to the existing businesses solely from Vernon also presents potential consequences to public safety. As noted in the comments from the police department,

*"This termination of Taney as a through-way will exacerbate the gridlock that occurs around the lunch hour on (Vernon) ... Drivers who frequent that area at that time rely on Taney as an alternative route to access businesses and to avoid the M-1(Vernon)/M-210 intersection... This closure will adversely impact response times for police officers responding to calls for service.... (The closure would create an) inability for officers responding to calls for service to approach from more than one direction. This is a basic policing technique..."*

*Comments from Police Department, May 10<sup>th</sup>, 2006*

With regard to the south side of the intersection, we appreciate the fact that the EIS does recognize the city's intentions to redevelop the property east of the ADM plant for

commercial or mixed use commercial/retail/residential purposes. We note the following as evidence of the city's serious interest in working towards this redevelopment:

1. The City has invested over \$3.0 million dollars towards land acquisition, demolition and improvements within the area.
2. In December of 2004, the City rezoned the area from M-2 General Industrial to C-3, Service Business.

Further, the south side of the intersection is a part of the "Railroad Avenue Planning Area" as designated in the city's Master Plan. Several comments, goals, and strategies of the plan are applicable here.

*"Because of this location, the development and uses in the area have high visibility and play a major role in forming the initial perception of North Kansas City by people using I-35. ... The area is a gateway for the City – both for pass through traffic on I-35 and for entrance into the downtown area west on Armour Road."*

*p. 10, Master Plan of North Kansas City.*

*Goal 14 for the area states "A review should be undertaken to plan for future uses and urban design concepts. This future planning effort should seek to eliminate blight, and create a pleasing gateway or landmark for the community."*

*p. 10, Master Plan of North Kansas City.*

These provisions of the master plan have existed since the plan's inception in 2003. With the efforts the city has made to date, we are well into the early stages of accomplishing the long-term goals of the plan.

#### M-210/Armour & Ozark

As noted above, the preferred alternative for the M-210/Armour interchange also has a third point of local impact which is the intersection of M-210/Armour with Ozark. The EIS proposes the elimination of the now fully signalized intersection. The traffic signal would be removed and a median strip would be extended west through the intersection, leaving access to be limited to right-in/right-out. This outcome would create a number of problems for North Kansas City. The lack of east bound egress from, or west bound access to, the neighborhood would have a significant impact on the functioning of the city's street network in the area. We are further concerned about the serious impacts to public safety as noted from the following comments from the fire and police departments:

*"If the Armour Rd. median at Ozark is extended it will prevent emergency vehicles, which respond eastbound on Armour, from turning north on Ozark. I believe our ability to protect the residents in that area of town will be substantially delayed. In the last two years we have experienced two fatality fires along with numerous other*

*fires and emergency medical calls for assistance... Without our most direct route to this area of our town, we will have to respond with large fire apparatus using emergency lights and sirens past NKC High School, Macken Park, and down narrow one-way residential streets. (It) is the north-south artery for the east side of the avenues and the two large apartment complexes."*

*Comments from Fire Department, May 9<sup>th</sup>, 2006*

*"...The inability to turn north on Ozark from eastbound Armour will adversely affect our response times to two of the most active areas in our city, namely, the Sunny Hills apartments and the French Quarter apartments."*

*Comments from Police Department, May 10<sup>th</sup>, 2006*

#### North Kansas City's Proposed Alternative

Because the City believes this interchange is so important to our future, and the EIS proposed alternative is of such concern, the City chose to authorize it's own engineering design study of the interchange in hopes of offering an alternative that will suit the needs of both MoDOT and the City. Attached to this packet you will find what we term as Alternative 3 as produced by Cook, Flatt, & Strobel Engineers, P.A..

As this has already been presented to MoDOT for their review and consideration, we will not go into a lengthy discussion of the alternative here. We will summarize the advantages to this alternative by saying that our engineering study suggests that this design can achieve equal or better Level of Service (LOS) ratings than what is proposed in the EIS, and it is believed it can be done within the budget assumed for the area in the EIS. And certainly the City prefers it in that we believe this alternative would allow the City to keep the signalized intersections of Taney and Ozark open as they currently exist and assist in our future economic development plans.

This alternative used all of the same data and assumptions used in the EIS with one exception. Our alternative 3 assumes a 1.5% growth rate for the area while the EIS assumes a 3% growth rate. Again, MoDOT staff has already been made aware of this different assumption. However we think it is a fair and reasonable assumption based on the built-out nature of the area surrounding this interchange.

The City believes this to be a very viable alternative and hopes to have the opportunity to continue our discussions with MoDOT as work on the project continues. We are encouraged by MoDOT's commitment number 20 as it appears in the EIS.

*"Access management in the M-210 interchange area will be further coordinated with the City of North Kansas City during the project design process."*

*p. S-20, I-29/35 Draft Environmental Impact Statement*



## 6B

16<sup>th</sup> Avenue Interchange (EIS Reference – Plate Build-03)

The EIS proposes to eliminate the existing northbound exit loop ramp in favor of a more typical northbound exit to the south of 16<sup>th</sup> Avenue. The City of North Kansas City has no objection with the proposed improvement as far as it goes. However, the City would like to explore additional opportunities for the interchange.

We believe consideration of this improvement would be consistent with two of the points noted in the statement of Purpose and Need contained within the EIS. Specifically:

- *Improve access to the Kansas City Central Business district and other major activity centers*
- *Facilitate the movement of trucks*

It has long been an interest of this community that the 16<sup>th</sup> Avenue intersection be expanded to greater use. Besides Armour Road, 16<sup>th</sup> Avenue is the only other major east-west corridor recognized in the City's Master Plan.

*"16<sup>th</sup> Avenue is a major east-west connector for industrial land uses south of downtown. It provides access to Burlington and to I-35, via Linn Street and Armour Road."*

*p. 17, Master Plan of North Kansas City.*

*Goal 31 of the Master Plan states, "Improve 16<sup>th</sup> Avenue as an east-west connector for industrial traffic, including large trucks, and allow it to function as a secondary east-west connector for vehicular traffic."*

*p. 17, Master Plan of North Kansas City.*

As previously indicated, the City's Master Plan anticipates the eventual redevelopment of a portion of the area to the southwest of the I-29/35 and Armour/M210 interchange. A strongly desired feature of this redevelopment would be the construction of Railroad Avenue. Strategy 15.1 of the Master Plan states,

*"Investigate the potential for future connections of Railroad Avenue. This connection could function as a trafficway for the Old Industrial Area and serve to remove traffic from Armour Road."*

*p. 10, Master Plan of North Kansas City.*

The construction of Railroad Avenue would then make 16<sup>th</sup> Avenue even more significant as an east-west corridor. It would allow a significant amount of truck traffic to be taken off of M-210/Armour. Please note the support of the consideration for such improvements are noted in the comments of the city's public safety and economic development staff.

You will note below that the City also has concerns with the elimination of Macon Street between Levee Rd. and Bedford Avenue. We believe that considering the full interchange at 16<sup>th</sup> Ave. might also create other design alternatives for the future of those interchanges.

With these plans in mind, we believe that a full interchange at 16<sup>th</sup> and I-29/35 could lend itself towards further future consideration. The City of North Kansas City would like the opportunity to explore this possibility.

#### RIVER CROSSING SUB-CORRIDOR

6C

##### Bedford Ave. & Levee Road Interchanges (EIS Reference – Alt. A, Plate A-01 & A-02)

The City of North Kansas City understands it is the intent of the EIS to improve the entrance and exit ramps for both the Bedford Avenue and Levee Road interchanges. In doing so however, the EIS would propose to eliminate Macon Street from Bedford Avenue to Levee Road. The most noticeable affect of the elimination of Macon St. would be the circuitous route through the industrial district a southbound truck would have to travel in order to reach businesses just to the west of I-29/35.

We also believe the removal of Macon St. will cause significant impacts within the local road network within the Paseo Industrial District. Quebec Street would have to become more of a collector street than it is currently designed to be.

*"Quebec Street is not designed as a major collector or a truck route, and I am concerned about the impact the additional traffic will cause."*

*Comments from Public Works, May 8<sup>th</sup>, 2006*

*"The police department utilizes Macon at both ends to completely control egress and ingress in the PID. Regardless of the crime in progress, two police officers can contain all vehicular traffic."*

*Comments from Police Department, May 10<sup>th</sup>, 2006*

Further we question whether this alternative truly meets two of the points noted in the statement of Purpose and Need contained within the EIS. Specifically:

- *Improve access to the Kansas City Central Business district and other major activity centers*

We wouldn't think that the proposed improvement to these interchanges would necessarily impact the Kansas City Central Business district, but it would certainly affect access to and from, and the functioning of, the local road network within the PID.

- *Facilitate the movement of trucks*

While the proposed improvement may facilitate the movement of trucks on the highway, we believe this would have a detrimental affect towards the movement of trucks within the City of North Kansas City.

As in the case of the 16<sup>th</sup> Avenue interchange, the City would like to have further discussion about the alternatives for the Levee Rd. and Bedford Avenue interchanges. We would also like consider that the possibilities for improving the 16<sup>th</sup> Avenue interchange may lead to more mutually positive solutions with respect to all three interchanges.

**6D CBD LOOP SUB-CORRIDOR (*EIS Reference – Plate B-07*)**

The City of North Kansas City notes with interest the preferred alternative (B) for the CBD Loop Sub-corridor. While admittedly the corridor is not in North Kansas City, the preferred alternative plan for the I-35/70 interchange with M-9 highway has the potential to significantly impact North Kansas City. More specifically we note that the existing interchange which provides direct access between North Kansas City and downtown Kansas City would be replaced by a system of local (Kansas City) streets by which to access M-9 and then Burlington in North Kansas City.

For example, northbound I-35 traffic intending to go to North Kansas City would have to pass through six intersections (presumably with traffic signals) before accessing M-9 into North Kansas City. The potential to disrupt the smooth flow of commercial traffic into our city for the businesses on our west side seems significant. We are concerned about the long term loss of business in North Kansas City as a result of this alternative. It could also cause businesses to shift more traffic to I-29/35.

Given the potential for this negative impact to North Kansas City, we question whether this alternative truly meets three of the points noted in the statement of Purpose and Need contained within the EIS. Specifically:

- *Improve interstate system linkage across the Missouri river*  
From the perspective of North Kansas City, this alternative would not appear to improve interstate system linkage across the Missouri river.
- *Improve access to the Kansas City Central Business district and other major activity centers*  
While the alternative may indeed improve access to the Kansas City CBD, it could prove a detriment to access of North Kansas City's businesses, which we believe would be a major activity center.
- *Facilitate the movement of trucks*  
Again, from the perspective of North Kansas City, this alternative would not facilitate the movement of trucks needing access into North Kansas City.



The City Council of the City of North Kansas City would ask that further serious consideration be given to the design alternative recommended for the CBD North Loop Sub-corridor.

#### **BICYCLE/PEDESTRIAN CROSSING**

The City of North Kansas City is aware that the subject of the accommodation of bicycle/pedestrian access has been of much interest in the development of the EIS. We understand that the EIS is recommending the Heart of America Bridge as the "only feasible river crossing" for bicycle and pedestrian access.

- 6E North Kansas City agrees that the Heart of America Bridge is the most desirable option, if future planning, funding and actions determine there can be only one river crossing for bicycle & pedestrian access. However, we also believe it would be desirable to have similar access over the I-29/35 bridge crossing if feasible. Understandably, the cost of providing such access in the safest manner possible could be significant, and believe the provision of such access across the I-29/35 crossing would be secondary to providing for the other elements of the project that we have noted above.

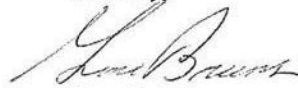
#### **BRIDGE TYPE**

- 6F The City of North Kansas City makes no specific recommendation as to bridge type or style, noting however that we too would support an architecturally interesting structure provided our significant concerns noted previously can be addressed.

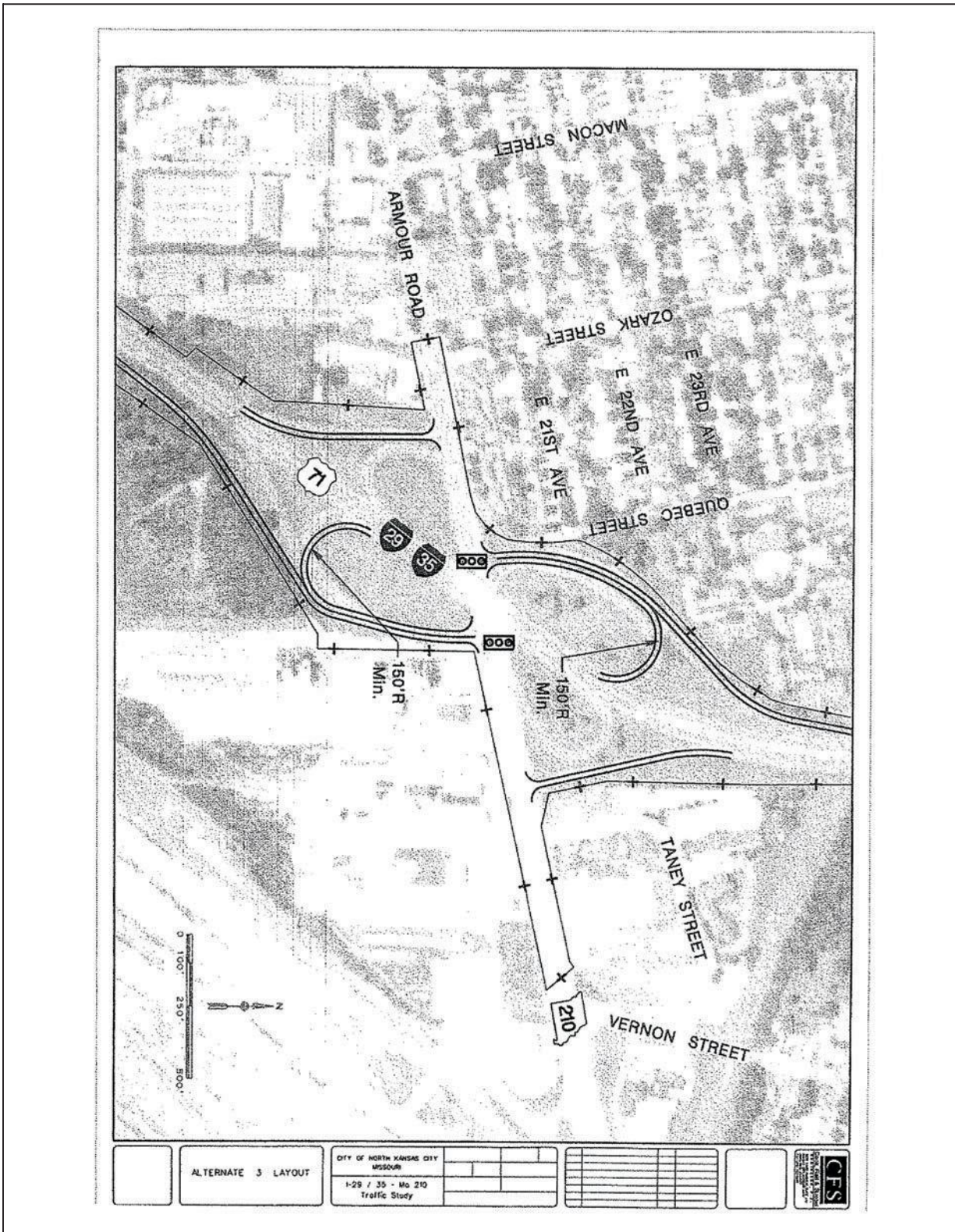
#### **CONCLUSION**

On behalf of the City of North Kansas City, we wish to express our appreciation for the efforts MoDOT has taken to date to provide the City with the opportunity for input. We appreciate being able to participate in the stake holder meetings, the design-build process, and our several individual meetings with MoDOT staff. As always, should anyone connected with the project have any questions about our response to the EIS, please feel free to contact us and we will be happy to provide you any further information. Thank you again for this opportunity.

Sincerely,



Gene Bruns  
Mayor



**Letter No. 6 City of North Kansas City, Missouri**  
(page 10 of 17)



**City of  
North Kansas City**  
www.nkc.org



**Police Department**

Glenn L. Ladd, Chief of Police  
2010 Howell  
North Kansas City, MO 64116  
(816) 274-6013  
Fax: (816) 221-0432  
glladd@nkc.org

May 10, 2006

Mr. Mike Smith  
Assistant to the City Administrator  
City of North Kansas City  
2010 Howell  
North Kansas City, Mo. 64116

Dear Mr. Smith,

I have reviewed the Environmental Impact Study (EIS) regarding the I-29/I-35 interchange project. It would be an incredible understatement to say this is a complicated issue. I had difficulty visualizing the many possible variations of plans. Fortunately for me, I am only asked for my opinion regarding a few potential plans and what the impact on law enforcement might mean to the citizens of the City of North Kansas City.

There are parts of the plans that would have an adverse impact on our City. Please find below elements of some of the plans followed by my opinion regarding the impact to law enforcement each of those might create.

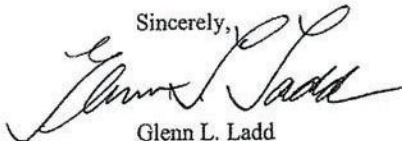
- Median Barriers at Taney and Armour/210
  - One plan calls for the closure of Taney at Armour Road, creating a cul-de-sac on the north. This termination of Taney as a through-way will exacerbate the gridlock that occurs around the lunch hour on M-1 (Vernon) just north of Armour/210. Drivers who frequent that area at that time rely on Taney as an alternate route to access businesses and to avoid the M-1/M-210 intersection if they are intending to travel northbound on M-1.
  - This closure will adversely impact response times for police officers responding to calls for service. For example, if our officers are responding from the west, to an armed robbery at the Arby's Restaurant located at Taney and Armour, they will literally have to drive by the scene, then turn left on M-1 to the Taney intersection, then back-track to the business.
  - A second issue, also relating to the quality of police services provided, is the inability for officers responding to calls for service to approach from more than one direction. This is a basic policing technique that improves officer safety by assisting in the containment of criminal activity.

- The extension of median barriers at Ozark and Armour/210
  - As stated in Chief Williams' letter, the inability to turn north on Ozark from eastbound Armour, will adversely affect our response times to two of the most active areas in our city, namely, the Sunny Hills apartments and the French Quarter apartments.

When planning for the delivery of emergency services, controlled access roadways are no different than a river. They must be crossed where the bridges are. The restriction of the Taney and Ozark intersections just makes the I-35 "river" much wider and more impassable when it comes to police response for the citizens of North Kansas City.

- The elimination of Macon Street from Levee Road to Bedford
  - This street is the western boundary of a very unusual commercial area commonly known as the Paseo Industrial District (PID). There are only two ways in and out of the PID, Bedford to the 10<sup>th</sup> street railroad crossing and or the entrance ramp to southbound I-35, and Levee Road to the northbound entrance ramp to I-35. The police department utilizes Macon at both ends to completely control egress and ingress to the PID. Regardless of the crime in progress, two police officers can contain all vehicular traffic. This may seem insignificant, however, it is not unusual for fleeing criminals to accidentally enter the PID, not realizing it is essentially a large loop.
- The 16<sup>th</sup> Street interchange
  - The police department defers to the comments made by the Fire Chief regarding the installation of a complete interchange rather than the one half we currently have. The diversion of heavy truck traffic away from Armour and on to the 16<sup>th</sup> street Truck Route is a great idea for a number of reasons.

Sincerely,



Glenn L. Ladd  
Chief of Police

**NORTH KANSAS CITY  
FIRE DEPARTMENT**

710 E. 18th  
North Kansas City, MO 64116  
Tele: (816) 274-6025  
Fax: (816) 471-0115

*Dave Williams*  
Fire Chief

*Richard Stewart*  
Deputy Fire Chief

*Dave Dollins*  
Fire Marshal

*Michael Jenkins*  
Training Officer



*We are committed to serve our community by preserving life, property, and the environment through the efforts of a dedicated team of professional employees.*

Mike Smith

May 9<sup>th</sup>, 2006

Mike, I have reviewed the information that you sent to me concerning the work to be completed on the I-29/I-35 corridor and have a few comments I would like to pass on to you.

The first concern of the Fire Department is the extension of the median past Ozark on Armour Rd. causing considerable delays in emergency.

My concern is strictly from the public safety point of view. As you know, our city has a number of traffic barriers which we deal with on a daily basis. Most notable are the north - south levy, I-35 dissecting the city north and south, the Missouri River on our south, and the Burlington Northern rail yard on our west. Each of these barriers restricts our traffic options when responding to emergency situations.

If the Armour Rd. median at Ozark is extended it will prevent emergency vehicles, which respond eastbound on Armour, from turning north on Ozark. I believe our ability to protect the residents in that area of town will be substantially delayed. In the last two years we have experienced two fatality fires along with numerous other fires and emergency medical calls for assistance in the Sunny Hills apartments and the French Quarters apartments.

Without our most direct route to this area of our town we will have to respond with large fire apparatus using emergency lights and sirens past the NKC High School, Mackin Park, and down narrow one-way residential streets. Ozark north of Armour Road is the north - south artery for the east side of the avenues and the two large apartment complexes.

Another concern is the inevitable delay in patient transport to the NKC Hospital. Ambulance crews will be forced to back-track through the narrower residential streets using uncontrolled intersections west of Ozark to turn eastbound onto Armour Rd.

The Fire Department's second concern is the proposed extension of the median at Taney and Armour Rd. Again this along with installation of a circle drive will cause delayed emergency response to the two hotels and the commercial businesses north of Armour Rd. on Taney. The circle drive at the end of Taney would have to be of sufficient size to allow our aerial apparatus to navigate the turn-around without correction.

To alleviate the truck traffic on Armour Rd. the Fire Department would like to see a full highway interchange at 16<sup>th</sup> Avenue designating 16<sup>th</sup> Avenue as the truck route. Armour Rd. is the primary east-west artery for emergency response. Heavy truck traffic on Armour Rd. slows traffic and reduces visibility of other drivers on Armour Rd.

Respectfully,

Dave Williams  
Fire Chief



---

**CITY OF NORTH KANSAS CITY**  
**MEMORANDUM**

---

**TO:** Mike Smith  
**FROM:** Pat Hawver  
**DATE:** May 8, 2006  
**RE:** Review of I-29/35 EIS

I share several concerns that are currently set forth in the EIS recommendations. I think our alternative(s) to the design changes proposed at the Armour/ Highway 210 interchange are a very appropriate and should effectively negate the need to require right-in/ right-out turning restrictions.

With the focus on the Armour Road/Highway 210 interchange, there have been few discussions about the proposed changes between Levee Road and Bedford. The proposed off-ramp for southbound I-29/I-35 traffic will eliminate Macon Street, which will cause a new route for southbound I-35 traffic that wants to go west on Bedford toward National Starch.

The elimination of Macon will require southbound I-35 vehicles to take Levee Road to Quebec Street, then turn right (west) on Bedford. Quebec Street is not designed as a major collector or a truck route, and I am concerned about the impact the additional traffic will cause. At this time the City has no alternate concepts to be considered, but I think it is important that we voice our concerns to MoDOT officials.

The only other comments I have regarding the EIS pertains to how the additional volume of storm drainage that will be created from the project will be handled. I understand, however, that these types of concerns will be addressed when the engineering design begins to take shape.

---

## CITY OF NORTH KANSAS CITY

### MEMORANDUM

---

**To:** Mayor and City Council  
**From:** North Kansas City Office of Economic Development  
Jeff Samborski, Economic Development Director, CECD, MPA  
**Subject:** I-35 EIS Review  
**Date:** May 9, 2006

The I-29/35 Draft Environmental Statement (EIS) recommends major reconfiguration of the primary interchanges at both the north and south approaches of the Paseo Bridge. It also proposes major interchange redesign at the southern base of both the Heart of America and Broadway Bridges. These three bridges are the primary access/egress points between Kansas City's burgeoning Northland and the downtown Kansas City I-70 Corridor. These interchanges also provide key connections, which our businesses, residents and employees use daily. Most general public perception and discussion about this project has been centered on the Paseo Bridge's widening or complete replacement. However, from an environmental and development perspective, the newly proposed interchanges could have the most significant impact.

North Kansas City is highly active in all facets of the entire metropolitan region's success. Among the most notable of the city's economic contributions are over 20,000 area employment positions, 1,000 businesses and over \$100 million dollars annually in tax revenues to federal, state and local jurisdictions. Recently, the Paseo Bridge was completely shut down for repairs. The City of North Kansas City and hundreds of its businesses along the I-35/29 corridor sustained considerable expenses and inconveniences during this process. This proposed project calls for an even more acute disruption in business activities and an increased cooperation from local authorities. Real life experience was gained regarding the potential impacts related to the types of road closures and detours that are again anticipated. While there may be optimism that after the project is completed traffic congestion relief will be in store, more urgent consideration regarding how business operations survive through another significant disruption of their businesses is already demanding attention. Businesses are just beginning to understand the implications of this project and formalize their responses.

#### **Physical Improvement Review** **I-35 / M-210 Interchange:**

- This is the only true full interchange serving the North Kansas City to/from Interstate I-35/29.
- This is the only East/West thoroughfare for delivery of essential safety services etc.
- Construction scheduling should require zero down time for east-west M-210 access or provide another potential east-west crossing across I-35 within a reasonable distance.
- Ozark intersection serves Macken Park and considerable residential population and no existing reasonable reroute options are apparent without incurring undue hardships.
- Proposed limited access to the Taney St. intersection negatively impacts several businesses, reduces public safety response times, and would likely create related traffic problems on M-1 Hwy. and Taney Street. It would also reduce significantly any development potential South of M-210.
- Configuration should maintain the fully lit intersections at Ozark and Taney (proposed modified single point intersection in, "preferred alternative" in EIS does not).
- North Kansas City has presented a proposed alternative, which appears to be more palatable than the recommended alternative proposed within the EIS



**NKC Office of Economic Development EIS Response, Page 2**

- The single-point intersection proposed in the EIS has modifications that may not be adequately time-tested or appropriate for this critical connection point. More specifically, skew angles of intersecting M-210 and I-35 exceed recommended applications; Distances after clearing the single point traffic light to the next signal on M-210 are maximized to accommodate highly erratic peak traffic conditions and creates the problems at neighboring Taney St. and Ozark St. intersections. The short duration of peak times may not warrant the loss of these preexisting intersections. A true single-point intersection's benefits stem from the elimination of a change cycle, but do require down-line clearances for the back to back traffic movements, which place new traffic right on the heels of one another with little if any buffering gaps. Therefore, a single-point intersection is probably not the best application.

**I-35 and 16<sup>th</sup> Street Interchange**

- Only realistic location for contingency East-West access across I-35, through a 16<sup>th</sup> St. to M-210 Railroad Avenue extension. Also, new full-access ramps alone could provide a U-turn detour alternatives for Southbound I-35 traffic if Armour Exit or underpass is closed.
- Would have significant potential for providing general traffic relief or a full-time truck route especially if additional on-off ramps would be configured there.
- Much of Right of Way for a Railroad Ave. is in place and may offer a fairly easy and quick preconstruction project to alleviate major future detour/traffic management problems when the M-210/I-35 interchange must undergo reconstruction.

**Bedford /Levy Road Interchange:**

- Only acceptable EIS proposed alternative must provide full access into the Paseo Industrial District through the proposed weaved on/off ramp system.
- Even this configuration will create some significant traffic pattern changes as considerably more traffic will be pushed east as Macon Street is totally removed in this area and traffic will have to move east at least one street to Quebec St.
- The proposed concept would present very limited traffic detour options as the ramps are closed for construction (Alternative Bedford railroad crossing at 10<sup>th</sup> Street is not a reliable alternative due to heavy rail traffic there. However, there has been discussion of constructing a flyover, which would provide major temporary and permanent benefits)

**River Crossing:**

- It should be emphasized that complete or partial closure of this river crossing places considerable strain on hundreds if not thousands of area businesses and their employees. Therefore, all other available corridors crossing the river during any partial or full closures of the Paseo should be maintained at maximum capacity or substantial short and long term economic damages will result for the entire Kansas City region.

**North CBD Loop Interchanges Heart of America (HOA):**

- Although this area is not in the North Kansas City limits it should be noted that this HOA corridor is the region's oldest commuter/commercial transportation route across the Missouri River, which began nearly a millennium ago with the ASB Bridge. The EIS "preferred alternative" (Alternative B in the study) eliminates all existing direct access/egress routes connecting M-9 Hwy and I-70 and proposes a series of at least four new lit intersections in between this age old direct connection from M-9 to I-70.
- This EIS "preferred alternative" appears to place a higher importance to recently introduced neighborhood conveniences above this long established interstate commercial route.
- This "preferred alternative B" in the EIS could dramatically impact the large established commercial base in the area and severely lower total capacity of traffic.
- The state of Missouri would essentially abandon this long standing connection serving approximately 40,000 vehicles daily and terminate their route at Kansas City's Independence Avenue and a myriad of stop lights. If it is Kansas City's desire to have this improvement, it would seem critical to document that Kansas City is committed to fund the huge expense required to accommodate these 40,000 vehicles with signalization



**NKC Office of Economic Development EIS Response page 3**

improvements that are outside the EIS study area. Directing all of the through traffic through these four additional grade level intersections, could isolate the River Market area and Columbus Park from the easy pedestrian access to the downtown as the congestion grows to produce increased accidents/sirens, smog and pedestrian barriers.

- MoDOT, the City of Kansas City and North Kansas City should come to a formal understanding about the future intentions of this I-70/M-9 connection point. If this is their first step towards completely eliminating truck traffic along this corridor, it should be known now. This could have a dramatic impact on whether it is an appropriate alternative to pursue and would provide some ability to plan accordingly

**General Comment:**

Considerable expense and reconfiguration challenges appear to be tied to high speed traffic design standards along the North Subcorridor. For instance, the long extended acceleration/deceleration lanes, as well as wide turning radii create specific design limitations throughout this area and are based upon traffic at 55 mph. North Kansas City, as does this entire study area, consists of a high density urban development. It is commonly found in such high density areas that lower traffic speeds of about 45 mph are more acceptable, if not preferable do to increased visual stimuli, frequency of on-ramps, amount of merging traffic etc. This is a relatively short section of interstate and a slight decrease in the speed limit should not offer significant inconveniences to commuters. A 45 mph zone begins just South of the Paseo Bridge and continuing it north about one mile would not seem to out of the question. The large increase in traffic and new development along the M-210 corridor has changed the character of this Subcorridor from its former days as pass-through thoroughfare to its existing status of a connection hub to many destinations and visitor attractions. Slightly reduced speeds in the area may offer commuters safety and convenience benefits and engineers realistic design criteria.

**Project Staging:**

It would seem of utmost importance that all design-build teams receive detailed instructions early in the process – not only about the scope of the physical construction, but also on appropriate scheduling and rerouting of traffic. As mentioned, the project contemplates major demolition and reconstruction of vital interchanges at all three of the urban core Missouri River crossings. Even though the construction process might save construction time and money, by disrupting traffic at more than one of the river crossings simultaneously, the entire metropolitan community, especially many of the urban core projects now underway, could sustain irreparable damage. A well conceived traffic management solution must be a critical component of the design-build team's proposals to be adequately evaluated.

**Systematic Planning Authority Feedback:**

There are well over three billion dollars worth of unprecedented construction projects underway in the immediate vicinity of this project. Local planning authorities are actively trying to keep pace with this dynamic environment and will need to alter their comprehensive plans further to accommodate this project. It seems reasonable that critical interaction of the municipal planning processes be sought out and valued continuously over the many years it could take for this project's completion. The design-build process should have some provision for continued legitimate feedback that can be considered and acted upon as long as possible, without causing undue impediments from getting the project accomplished effectively and efficiently.

A systematic process would seem especially critical to keep the community planning and budgeting process engaged. Many of the proposed improvement concepts, for example, require connection onto non-existent roads that are not yet designed, engineered or funded. Furthermore, these connections are not within the EIS study limits or within state right-of-way. Such a process would motivate local planning authorities to begin immediate actions to solidify their formal positions on such connections and provide a realistic scenario for design-build teams to develop plans that will include the necessary partnerships and commitments.



## Clay County Economic Development Council

*"Maximizing Economic Well-being and Opportunity in Clay County, Missouri"*

### OFFICERS:

Tim Kristl  
Chair

John Engelmann  
Chair Elect

Mark Tankesley  
Secretary

Jeff Dema  
Treasurer

### EXECUTIVE COMMITTEE

Pete Hall  
Carol McCaslin

### PAST CHAIR ADVISOR

Kim Wales

### BOARD OF DIRECTORS

John Armilho  
Thomas G. Atkins  
Richard Baier  
Mike Chambers  
Tom Cole  
Tom Cook  
Thelma Crawford  
Jeff Dema  
Mike Degendorf  
Jim Dorman  
Michael Edwards  
John Engelmann  
Lisa Esig

Don Hagan  
Pete Hall  
Don Hanks  
Wayne Harkins  
Ken Hollander  
Walt Hult  
Tim Kristl  
Steve Majer  
Kelley Martin  
Steve McCain  
John Miller  
Rusty Mudgett  
Bob Pearson  
Mike Pursell  
Dale Rapp  
Sandy Rogers  
David Sallee  
Jo Steuve  
Mark Tankesley  
Scott Taveau  
S. Kim Wales  
Julie Wilson  
Bill Yungmans

### EXECUTIVE DIRECTOR

Jim Hampton

In Partnership with the  
Clay County Commission

CAROL MCCASLIN  
Presiding Commissioner

CRAIG PORTER  
Eastern Commissioner

LARRY LARSON  
Western Commissioner

AFFILIATE  
Pete Hall  
Clay/Platte Development  
Corp.

May 18, 2006

I-29/I-35 and Location Study  
C/O HNTB  
1715 Kirk Drive  
Kansas City, MO 64105

Dear Sir or Madam:

The Clay County Economic Development Council and many of its 800 members have been active participants in the work of the River Crossing Committee and have supported their efforts in promoting the study, and the planning and development of the infrastructure improvements needed for the Northland/Downtown corridors.

The work of the committee has yielded some important conclusions regarding the necessary expansion of the I-35/I-435 corridor, and the I-35/I-29 split, as well as the proposed improvements to the Broadway and Heart of America Corridor, and the north side of the downtown loop to provide greater access to the downtown area from the Northland. The conclusions of the committee and of the EIS study note the importance of greater access not only for the benefit of the Northland residents, but also for the economic stability and growth of the businesses and communities in Kansas City's Downtown.

Therefore, recognizing the importance of the I-35/I-29 EIS and location study, the Clay County Economic Development Council would like to express its ongoing support of the positions stated by the Northland Regional Chamber of Commerce, the Downtown Council, the City of North Kansas City, the River Crossing Committee, and the Greater Kansas City Chamber of Commerce in regards to this important issue.

Sincerely,

Jim Hampton  
Executive Director



110 NW Barry Road, Suite 210 • Kansas City, MO 64155 (816) 468-4989 • Fax (816) 468-7778  
www.clayedc.com





KANSAS CITY AREA TRANSPORTATION AUTHORITY

1200 EAST 18TH STREET  
KANSAS CITY, MO 64108  
(816) 346-0200

May 19, 2006

via email to: I29I35EIS@hntb.com

Mr. Allen Masuda, Division Administrator  
Federal Highway Administration  
Jefferson City, MissouriMr. Pete K. Rahn  
Executive Director, MoDOT  
Jefferson City, Missouri

Re: I-29 / I-35 Missouri River Crossing Draft EIS

Dear Sirs:

The Kansas City Area Transportation Authority (KCATA) is the regional transit authority for the metropolitan Kansas City area. In this capacity, KCATA is writing in support of MoDOT's plans to improve the I-29 / I -35 Missouri River Crossing. KCATA has also reviewed the Draft Environmental Impact Statement for this planned reconstruction of I-29/I-35 including the bridge over the Missouri River and our comments on the DEIS are included below.

Improving the Missouri River crossing is critically improvement for the Kansas City metropolitan region and KCATA strongly supports this effort. Given the long-term significance of the proposed project and the size of regional investment, the environmental impact analysis needs to be comprehensive and multi-modal in scope. We have several comments on the DEIS and several concerns about the process for ensuring that transit, bicycle, and pedestrian interests are considered during design and construction of this project. All of these are listed below and have been organized in keeping with the DEIS chapters.

#### Executive Summary

8A

1. The summarized Purpose and Need statement is to "add vehicular capacity and improve safety" in the corridor. Added roadway capacity and highway safety improvement are needed, but there are other significant needs in this corridor that the needs statements do not adequately describe. The current

I-29 / I-35 Missouri River Crossing Draft EIS  
May 19, 2006  
Page 2

Purpose and Need does not address the very real need for improved transit, bicycle and pedestrian connections across the Missouri River and improved multi-modal access to important activity centers on both sides of the river including into the Central Business District (CBD). The environmental documents should be revised to more broadly reflect these multi-modal needs and the preferred alternative should be expanded to reflect solutions that are also multi-modal.

8B

2. One of the priorities for transit in the corridor is improved access from highways and bridges into the Kansas City CBD and into North Kansas City. Many of the possible transit issues in the corridor are related to the orientation and design of existing and new ramp termini, traffic signals at these termini, transit connections from the highway system and the need for things like transit signal priority and queue jumpers. Since the specific design of elements such as these will not be determined until the design/build process, it is very important that MoDOT commit to both including consideration of such elements in the process and including the Kansas City Area Transportation Authority and transit interests in final design and design-build oversight.

3. The listing of commitments at the conclusion of the Executive Summary is an excellent idea and we support this action by MoDOT. KCATA does have the following comments on the commitments listed in Section H of the Executive Summary.

8C

- a. Commitment 2. Working with the public on possible urban design enhancements is important and will need to factor in many elements including transit. Specifics on the process MoDOT will use to obtain public input on urban design needs to be described.
- b. Commitment 4. Maintenance of Traffic. MoDOT should provide for supplemental transit services, as well as those items listed, to address traffic congestion mitigation during construction.
- c. Commitments 16 and 17. KCATA supports MoDOT's commitments to provide suitable access across the interstates / highways and along the Heart of America bridge for bicycle and pedestrians. However, the process for fulfilling these commitments needs to be described. Additionally, the bike/ped. access improvements mentioned should be designed with consideration for the existing and planned transit service on both crossing streets and the Heart of America bridge. For instance, the Heart of America bridge has significant existing transit service which will increase in the future and the Heart of America Bridge and M-9 are preferred locations for the northern extension of the MAX Bus Rapid Transit line.
- d. Commitment 20. It is important in reviewing the M-210 interchange and other interchanges in the corridor that the needs of pedestrians

I-29 / I-35 Missouri River Crossing Draft EIS  
May 19, 2006  
Page 3

using current or future sidewalks along local streets and arterials at the ends of these interchanges be considered.

- e. Commitment 21. We support MoDOT's commitment to work with local officials to develop context sensitive urban design in this corridor. The relationship of this approach to the design-build concept is not clear and should be better described in the environmental documents.

#### Chapter I. Purpose and Need

- 8D 4. As noted above, improved connections across the Missouri River and improved access to major activity centers in the corridor, including in and out of the Kansas City CBD, are multi-modal needs. This chapter should be revised to describe the needs of modes other than highways in the corridor.

- 8E 5. Among the critical issues for transit in the corridor is access into the Kansas City CBD and onto the local street system from interstate highways and major arterials such as M-9. Since design of these access connections is expected to be part of the design-build process, and impacts cannot be assessed until these are designed, KCATA and transit interests must be formally represented during the oversight of the design build process. Please refer to the attached April 24, 2006 letter to Pete Rahn on this subject.

#### Chapter 2. Alternatives.

- 8F 6. Although Improvement Concept 5, High Capacity Transit Concept and Concept 6, Bicycle and Pedestrian were not carried forward for evaluation, ATA believes transit and bike/ped. improvements should be included in the preferred alternative and that this alternative should be revised to better address these needs. Among the critical elements for transit are:

- Transit vehicles must have convenient access in and out of the CBD, Rivermarket and North Kansas City and good connections to key arterials such as M-9, Armour and local streets. This may require as appropriate priority treatment at ramp terminals, transit signal priority at intersections, special transit lanes or queue jumpers such as were implemented on M-9 in 2005. Commitments to include transit access improvements such as these should be reflected in the descriptions of the build alternatives.
- Bus Rapid Transit connections across the Missouri River using the Heart of America bridge are part of the Smart Moves regional plan as is expanded transit service. These improvements should be considered during design of the preferred alternative.
- Pedestrian amenities at streets crossing I-29/I-35 or ramp terminals on both sides of the river must be part of the final plan.



I-29 / I-35 Missouri River Crossing Draft EIS  
May 19, 2006  
Page 4

8G 7. We support use of the Context Sensitive Design for all project elements, but the DEIS is not clear how this will be considered in the final design. The process for incorporating context sensitive design in final design and obtaining public involvement during design should be described in the EIS.

8H 8. Pg. II-19, Maintenance of Traffic. MoDOT and ATA implemented a successful transit alternative during the closure of the existing Paseo Bridge for maintenance work in 2005. Transit can assist in maintenance of access during construction and can provide the public with an alternative to construction related traffic congestion. The Maintenance of Traffic section should acknowledge the use of special transit service as one of the means of mitigating impacts and the preferred alternative should include funding for transit related mitigation measures.

#### Chapter III. Affected Environment.

8I 9. Existing transit elements and those planned for this corridor as part of the Smart Moves regional transit plan are not describe adequately in this section of the DEIS and should be included. ATA operates several bus routes in the corridor and several that cross the corridor on major streets. The existing level of service is expected to increase significantly in the future with implementation of the Smart Moves plan and this too should be acknowledged as part of the existing environment.

The most notable existing transit element in the corridor is ATA's MAX Bus Rapid Transit (BRT) line running across the North Loop on Grand Boulevard into the Rivermarket, terminating at the ATA's 3<sup>rd</sup> and Grand park and ride lot. The ATA will start a planning process in 2007 to look at extending this BRT line north across the Missouri River and may implement expanded BRT service across the river by 2011. It is expected that the Heart of America bridge and M-9 would be used for this BRT extension.

An Alternatives Analysis of transit options in the I-70 corridor from the CBD east through Jackson County is being completed. Among the likely preferred alternatives is a commuter rail line that may terminate in the Rivermarket at approximately 3<sup>rd</sup> and Grand, adjacent to the ATA's park and ride lot. To reach 3<sup>rd</sup> and Grand via rail, additional trackage and new railroad infrastructure will be required, including possibly new railroad overpasses. Consideration should be given during design of the new Missouri River crossing to this future commuter rail line with particular recognition of the need for adequate clearances between highway structures and future commuter railroad infrastructure.

I-29 / I-35 Missouri River Crossing Draft EIS  
May 19, 2006  
Page 5

8J

10. Conclusions about impacts of the proposed project on transit must consider future expanded transit services. Language in the DEIS implying that the impacts may "not be adverse" because they don't impact "existing transit access" should be reviewed in light of planned transit expansion in the corridor. Mitigation of any future negative impacts on these expanded transit services should be included.

Appendix B – Interchange Analysis.

8K

11. The evaluation of interchanges should include consideration of impacts on pedestrians using the arterial and local streets at the end of the interchanges or ramps. In locations where sidewalks may not now exist, the assumption should be made that they will be installed in the future. High speed traffic movements across pedestrian ways should be avoided or mitigated in areas where there is significant potential for increased pedestrian and transit usage.

We appreciate the opportunity to comment. If you have questions, please contact me at (816) 346-0210 or Dick Jarrold at (816) 346-0356.

Sincerely,



Mark E. Huffer  
General Manager

MEH:RCJ:mt

cc: Federal Transit Authority, Region VII  
Mid-America Regional Council



Matt Blunt, Governor • Doyle Childers, Director

## DEPARTMENT OF NATURAL RESOURCES

[www.dnr.mo.gov](http://www.dnr.mo.gov)

MAY 19 2006

Mr. Kevin Keith, Chief Engineer  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, MO 65102-0270

Allen Masuda, Division Administrator  
Federal Highway Administration  
Missouri Division  
3220 W. Edgewood, Suite H  
Jefferson City MO 65109

Re: Draft Environmental Impact Statement Interstate 29/35 Paseo Bridge Corridor, Clay and Jackson Counties, Missouri

Dear Messers Keith and Masuda:

Thank you for the opportunity to provide comments on the Draft Environmental Impact Statement (DEIS) for the Interstate 29/35 Paseo Bridge Corridor, Clay and Jackson Counties, Missouri. Because this project is located in an already developed, urban area, the department does not foresee significant additional impacts to the environment as a result of the proposed project. The document appears to provide an adequate analysis of the environmental resources that will be affected by such a large construction project, involving the crossing of a major waterway. The document also provides an adequate analysis of the type of environmental impacts that would likely result from this type of construction activity and the best means of preventing or mitigating these impacts. However, project planners may want to consider the following information prior to construction.

### Geology

On page III-28, the DEIS indicates that the bedrock underlying the study area is Pleasanton Group (comprised of shales with some sandstones and thin limestones). However, geologic mapping indicates that the area is underlain by the Kansas City Group, which is primarily limestone. This indicates that the Missouri Department of Transportation (MoDOT) needs to consider the potential for development of karst, or solution-widening of fractures in the limestone in this area. The potential for karst is confirmed by the cave area file from the Missouri Environmental Geology Atlas (MEGA), which indicates that caves are present in the southern part of the study area, or are located nearby to the south. Unfortunately, data on caves is restricted information, so we cannot provide an accurate map for publication in the Final EIS. For location information on caves in the study area, please contact Amy Crews of the department's Water Resources Program, at 573-368-0914.

9A

During the discussion of alluvium associated with the Missouri River on page III-27, the document references a variation in the thickness of the alluvial material from 85 to 185 feet. However, well information contained in MEGA shows that surficial material may be as thin as 32 feet in this area. (The department's well log database shows two wells in the study area, with a depth to bedrock south of the alluvium of 32 feet and 35 feet.) The surficial material may actually be thinner, as limestone bedrock





## Page 2

tends to form a very irregular surface due to solution by groundwater. A map of wells located in the study area is attached as Figure 1. Project planners may desire to verify the depth to bedrock throughout the study area via drilling, as the difference between the MEGA data and that contained in the DEIS may have a significant impact on construction plans and costs for bridge piers and other necessary structures.

While the DEIS states on page III-28 that no past or present mines are in the study area, the department's Inventory of Mines, Occurrences and Prospects (IMOP) database indicates that there are several limestone quarries in the southern part of the study area. The quarries are shown on the attachment labeled Figure 2, and additional information for the five quarries located closest to the area is provided in Table 1, also attached. One quarry is shown as being immediately adjacent to the roadway. It should be noted that the other quarries may be located nearer to the roadway than indicated in this figure, as the quarries are only located to the nearest quarter section. If the quarries have been filled and are not visible, and are located near the roadway, the result could be unconsolidated fill material forming the base for subsequent highway work. Project planners will therefore want to investigate potential quarry locations prior to construction.

Parks

There are no state parks or historic sites within the project area and none that will be peripherally impacted outside the project area. The department also reviewed the DEIS to determine what, if any, local parks might be impacted by the proposed alternatives. Because the department administers the federal Land and Water Conservation Fund (LWCF) program, it has the responsibility for ensuring that all local parks funded through LWCF are protected. Parks funded through the LWCF program must be managed for the public in perpetuity and may only be used for outdoor recreation activities.

The DEIS lists several parks in the study area that have previously received federal funding, and would be subject to protection in perpetuity. Section 4(f) of the U.S. Department of Transportation Act of 1966 provides special protections for publicly owned parks and recreation facilities, including off-street public bicycle / pedestrian trails. Before a 4(f) resource can be impacted by a transportation project, MoDOT must find that there is no feasible and prudent alternative to this impact, and that all possible planning to minimize harm to the resource is completed. Section 6(f) of the Land and Water Conservation Fund Act and the Urban Park and Recreation Recovery (UPARR) grants are administered by the National Park Service. Any conversion of lands that have received these funds to a non-recreation use requires replacement with lands of at least equal recreation utility and monetary value, approved by the Department of the Interior. In comparing the list of parks in the DEIS with information in the department's databases, it appears that two parks should be designated in the DEIS as recipients of Land and Water Conservation Funds (LWCF), or 6(f) resources. Belvidere Playground is listed as a 4(f) resource and UPARR recipient, and should be listed as a 6(f) resource as well due to LWCF funding. River Bluff Park should also be listed as a 6(f) resource, as a recipient of LWCF funds.

Even with the expedited Design-Build process described in the DEIS, funding for this project may not be available for a number of years. During subsequent stages of project planning, project planners may want to consult with the department to see if any additional federal funds for parks in the study area have been awarded, as this could result in impacts to the project's final location and/or mitigation requirements.

Water Resources

From the information provided in the DEIS, it appears this project will have no significant impact to water resources in the project area, provided that Best Management Practices (BMPs) are applied. Impacts to aquatic resources will depend on the project contractor's adherence to BMPs. Without implementation of BMPs on-site, there could be significant sediment erosion into nearby streams. The project planners should ensure that BMPs are established and regular inspections are conducted, to make sure the BMPs are properly maintained.

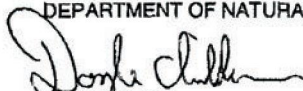
Page 3

The mitigation efforts described in the DEIS appear adequate, as it is difficult to determine accurately the amount and type of mitigation that may be needed at this early stage of the project. Completion of a formal mitigation plan may therefore be necessary once project plans are finalized.

We appreciate the opportunity to provide comments on this transportation project. If you have any questions or need clarification, please contact Ms. Jane Beeter at 573-522-2401. Her address for correspondence is Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102. Thank you.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Doyle Childers  
Director

DC:jbj

Attachments



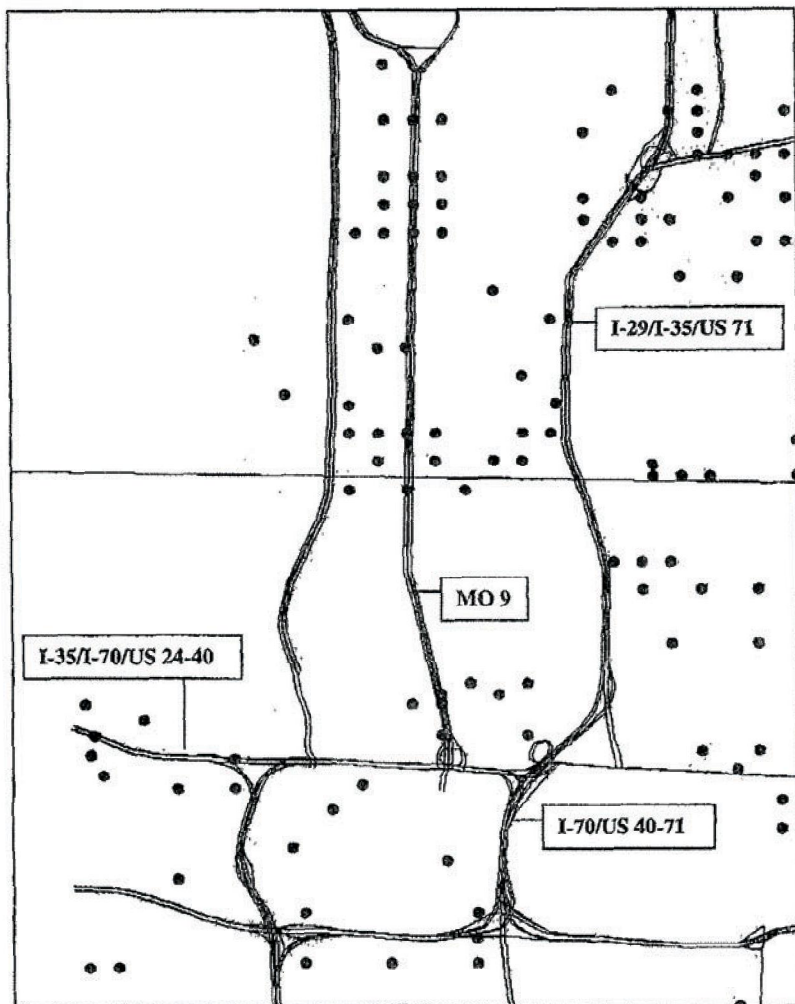


Figure 1. Map of well locations within the study area. Locations are from the Missouri Environmental Geology Atlas.

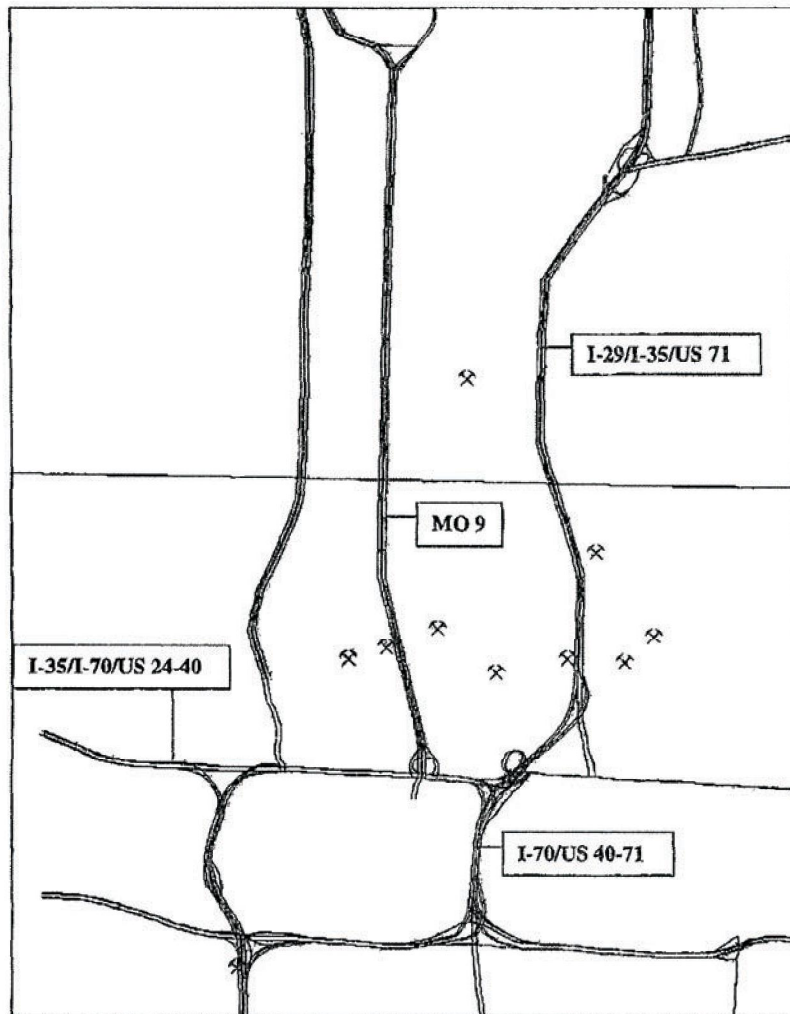


Figure 2. Locations of limestone quarries within the study corridor. Data from the Inventory of Mines, Occurrences and Prospects database.

0950034	850	50N	33W	33	SWNE	Planagan Brothers Quarry	Surface	Past Producer	Limestone db	365275	4330550	365258	4330759
0950037	760	50N	33W	33	CW2	Hill Quarry	Surface	Past Producer	Limestone db	364675	4330400	364658	4330609
0950080	740	50N	33W	28	SW		Surface	Past Producer	Sand & Gravel	364875	4331125	364858	4331334
0950171	860	50N	33W	33	C		Surface	Past Producer	Limestone db; Clay-concretion	365075	4330375	365058	4330584
0950208	760	50N	33W	32	NENESE			Past Producer	Limestone	364175	4330300	364158	4330509

Table 1. List of quarry locations from the Inventory of Mines, Occurrences and Prospects database.



## Office of the Mayor

Mayor Kay Barnes

29th Floor, City Hall  
414 East 12th Street  
Kansas City, Missouri 64106-2778

(816) 513-3500  
Fax: (816) 513-3518

May 19, 2006

Pete Rahn  
Director, Missouri Department of Transportation  
Transportation Office Building  
P.O. Box 270  
105 West Capitol Ave.  
Jefferson City, Mo 65102-0270

Allen Masuda  
Division Administrator  
Federal Highway Administration  
3220 West Edgewood, Suite H  
Jefferson City, Mo 65109

### RE: I-29/35 Paseo Bridge Corridor Draft Environmental Impact Statement (DEIS)

Dear Mr. Rahn & Mr. Masuda:

As you are aware one of the major priorities during my tenure as Mayor has been the revitalization of Kansas City's urban core neighborhoods. A key element to revitalizing and improving Kansas City's neighborhoods and downtown areas is an effective transportation system that fosters and promotes business growth, economic development, tourism, environmental sustainability and livability. To this end, I am writing to emphasize the importance of the significant and extensive comments to the I-29/35 Paseo Bridge DEIS from the City of Kansas City, River Crossing Committee, MARC, Downtown Council, Missouri Bicycle Federation, Regional Transit Alliance, Community Advisory Committee, Columbus Park Neighborhood Association, American Institute of Architects – Kansas City and other interested parties.

10

The Paseo Bridge and the I-29/35 corridor are essential to Kansas City's prosperity and way of life. The 50 – year old Paseo Bridge handles an average of 95,000 vehicles each day and is a vital link across the Missouri River for connecting goods and services to regional, national and global markets. I wish to compliment the Missouri Department of Transportation (MoDOT) phenomenal efforts of maintaining this bridge, especially the much needed emergency repairs in 2003, and willingness to engage our community in planning the I-29/35 Paseo Bridge Corridor improvements.

I strongly support MoDOT's desire to utilize Design-Build to implement the new Paseo Bridge crossing in order to deliver a successful project that fulfills multiple and parallel objectives, including exceptional aesthetic and functional quality, cost savings, and timely completion. However, it is essential that MoDOT and the Federal Highway Administration (FHWA) be responsive and provide greater clarity to community concerns and expectations on transit across the river and pedestrian/bicycle access, as well as how this project will respect the integrity and value of the urban fabric on both sides of the Missouri river. Furthermore, I wish to encourage MoDOT and FHWA to continue collaborating with the City and community stakeholders to establish an inclusive, open, and meaningful community engagement practice throughout the design-build process.

**Letter No. 10 Office of the Mayor, Kansas City, Missouri**

(page 1 of 2)

Thank you in advance for your prompt attention to this matter. I look forward to working closely with MoDOT and FHWA on the improvements to the I-29/35 Paseo Bridge corridor, and the Kansas City area overall transportation needs. Please contact me or Donovan Mouton of my staff at [donovan\\_mouton@kcmo.org](mailto:donovan_mouton@kcmo.org) or 816.513.3513 if there are any questions or concerns.

Sincerely,



Kay Barnes

cc: Members of the City Council, City of KCMO  
Wayne A. Cauthen, City Manager, City of KCMO  
Stan Harris, Director, Kansas City Public Works Dept.  
Tom Coyle, Director, City Planning & Development  
Beth Wright, District Engineer, MoDOT  
J. Richard Capka, Acting Administrator, FHWA  
U.S. Senator Christopher "Kit" Bond  
U.S. Senator Jim Talent  
U.S. Congressman Sam Graves  
U.S. Congressman Emanuel Cleaver II  
Governor Matt Blunt  
Kansas City Area Missouri Delegation, State Legislature  
Donovan D. Mouton, Office of the Mayor



Columbus Park Community Council  
c/o Mike Sturgeon  
1111 Missouri Avenue  
Kansas City, Mo 64106

May 22, 2006

I-29/I35 EIS & Location Study  
c/o HNTB  
715 Kirk Drive  
Kansas City, Mo 64105

Re: I-29/I35 EIS & Location Study

Dear I-29/I35 EIS & Location Study Team:

This letter is to provide comments in response to the Interstate 29/35 Paseo Bridge Corridor Draft Environmental Impact Statement ("DEIS"). This letter is being provided by the Columbus Park Community Council on behalf of the nearly 1600 residents of the Columbus Park neighborhood. The Columbus Park neighborhood is located at the northeast corner of the CBD loop. Neighborhood boundaries are I-29/35 on the east; I-35/70 on the south; Missouri State Highway 9 on the west; and the Missouri River on the north.

Columbus Park is geographically unique in that the proposed action is located on three sides of our neighborhood representing nearly one third of the total project length. No other business or residential area will experience the extent or severity of direct and indirect localized impacts from the proposed action to the degree of the residents of Columbus Park.

Figures from the US Census Bureau demonstrate that Columbus Park is also demographically unique. Columbus Park is an ethnically diverse neighborhood: 38% of neighborhood residents are white; 18% black or African American; 35% Asian; and 12% Hispanic. 34% of neighborhood residents speak English less than very well. Of those, 88% are Asian. And 27.5% of the neighborhood residents live in Linguistically Isolated Households, that is, a household where no person over 14 years of age speaks English at least very well.

Economically, 28% of all individuals living in Columbus Park live below the poverty level. 72% of residents have a high school diploma or less. 27% of neighborhood residents over 5 years of age suffer a disability. 27% of neighborhood households have no access to an automobile. And nearly 40% of the housing stock in Columbus Park was built before 1936, qualifying those properties for inclusion on the National Register of Historic Places.

Given the unique geography and demographics of Columbus Park in relation to the proposed action, neighborhood concerns warrant particular attention in the DEIS and NEPA process. Sensitivity to neighborhood concerns regarding the proposed action is

even more imperative when considered in light of the cumulative impacts that past highway projects have imposed on the neighborhood, including isolation, disinvestment and environmental degradation.

During the last two years of the DEIS study process, Columbus Park residents have sought assurances that the proposed action will not result in even more considerable and significant adverse environmental consequences to the neighborhood. We have voiced our concerns about the considerable future environmental consequences of this project on our neighborhood, particularly with regard to noise, air quality, visual quality and social and economic impacts at every opportunity. We have requested that the opinions of the Vietnamese community in our neighborhood be considered. And we have attempted to participate in the DEIS study process as best we could.

The consensus of opinion from neighborhood residents is that the concerns we expressed were met mostly with complacency and indifference. We were heard but not listened to. We received commitments that information central to our decision-making process and involvement would be provided- and it has not. Representatives of neighborhood interests were not given equal access to study team representatives and decision-makers at the Missouri Department of Transportation.

The DEIS appears to reflect and build upon the foundation of apathy and unresponsiveness established and exhibited throughout the DEIS study process. Disproportionately high and adverse effects on the neighborhood have been inaccurately characterized, inappropriately minimized or entirely omitted from the DEIS. Commitments to provide critical information in the DEIS are similarly unmet.

Based on this history of involvement in the DEIS study process over the last two years and a review of the DEIS document over the last 45 days, the residents of Columbus Park observe that:

1. The objectivity and integrity of the DEIS and the National Environmental Policy Act ("NEPA") process are materially compromised.
2. The conduct of the NEPA process has been insufficient and the DEIS is arbitrary, inconsistent and unbalanced.
3. The DEIS is inadequate and superficial and fails to take a "hard look" at the environmental consequences of the proposed action.
4. The proposed action will incur significant disproportionate adverse impacts on disadvantaged populations that are not avoided, abated or mitigated.
5. The DEIS fails to meet fundamental statutory mandates of NEPA, Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"; and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency".

It is absolutely essential to the NEPA process that the decision-maker be provided with a detailed and careful analysis of the relative environmental merits and demerits of the proposed action and possible alternatives, a requirement that is the linchpin of the entire impact statement. A detailed examination explains why the conduct of the NEPA process and the DEIS document are manifestly deficient for the proposed action.

Because the DEIS is so fundamentally flawed in its approach to the proposed action and in the presentation of the materials; superficial in the scope and analysis of environmental consequences; unbalanced in the conclusions drawn; inequitable procedurally and substantively in the treatment of disadvantaged persons, during the DEIS scoping process and in the proposed action; fails to meet basic statutory obligations; and proposes to use a wholly inappropriate procurement method to build the modifications in the corridor, the residents of Columbus Park strongly object to the DEIS and request a full supplemental DEIS to be prepared.

In light of these comments, neighborhood residents are hopeful that a new future of collaborative relationships, expanded participation and changed attitudes will emerge as MoDOT and the Columbus Park neighborhood move forward working on the and other matters of mutual involvement. We are also hopeful that this viewpoint is shared by all participants and stakeholders.

In summary, the residents of Columbus Park feel that the EIS has several legal flaws and must be fully supplemented. Moreover, we strongly urge the MoDOT and the FHWA to make the NEPA process more transparent and to examine all of the direct, indirect, and cumulative impacts of the whole project with adequate opportunities for public participation.

Thank you for your consideration of these comments. Please contact me if you have any further questions.

Sincerely,

.

Mike Sturgeon

11A

1. The objectivity and integrity of the DEIS and the NEPA process are materially compromised.

- A. The DEIS fails to provide required disclosures.

The consulting firm preparing the DEIS and coordinating the NEPA process, HNTB Corporation, has worked on numerous highway projects throughout the State of Missouri with the lead agency, the Missouri Department of Transportation. Given this longstanding and on-going relationship, a person of ordinary prudence would want to consider and account for the nature and extent of this relationship, particularly as it relates to the proposed action, in deciding the merits of the DEIS and NEPA process.

Regulations promulgated by the Council on Environmental Quality ("CEQ") which implement the National Environmental Policy Act ("NEPA") specify that a consulting firm preparing an EIS must execute a disclosure statement verifying that it does not have a "financial or other interest in the outcome of the project." The Council interprets this term broadly to cover any known benefits other than general enhancement of professional reputation. This includes any financial benefit such as a promise of future construction or design work on the project, as well as indirect benefits the consultant is aware of (e.g. if the project would aid proposals sponsored by the firm's other clients). For example, completion of a highway project may encourage construction of a shopping center or industrial park from which the consultant stands to benefit. If a consulting firm is aware that it has such an interest in the decision on the proposal, it should be disqualified from preparing the EIS, to preserve the objectivity and integrity of the NEPA process.

The CEQ further instructs that, "When a consulting firm has been involved in developing initial data and plans for the project, but does not have any financial or other interest in the outcome of the decision, it need not be disqualified from preparing the EIS. However, a disclosure statement in the draft EIS should clearly state the scope and extent of the firm's prior involvement to expose any potential conflicts of interest that may exist.

The lead contractor, HNTB Corporation has a history of prior involvement on the project that includes preparation of the major investment study for the proposed action (i.e. the Northland/Downtown Major Investment Study). The MIS forms the basis for the analysis and recommendations contained in the DEIS. It is not unreasonable to conceive that a contractor could be damaged if the DEIS contained conclusions on certain matters that differed from the MIS or for the DEIS to adversely affect other interests in the outcome of the project. However, the DEIS does not clearly state the scope and extent of any firm's prior involvement in the project and does not contain any disclosure statements regarding HNTB's or any other consultant's financial or other potential interest in the outcome of the project.

HNTB has other clients that will benefit from the project. For example, HNTB recently completed a \$258 million renovation of Kansas City International Airport. As stated in the DEIS, the proposed action will improve accessibility to KCIA from I-29/35. Benefits to this and other clients may or may not materially effect the contractors objectivity and integrity in their conduct of the DEIS. However, a person of ordinary prudence would want and is entitled to consider this fact and other similar relationships in deciding the merits of the EIS and, more fundamentally, whether or not the contractor should have been disqualified from preparing the DEIS study altogether. The fact that HNTB's client/consultant relationship with other beneficiaries of the project are not disclosed in the DEIS *does* materially compromise the objectivity and integrity of the DEIS and the NEPA process.

The same holds true for other consulting firms working on the DEIS. The DEIS does not clearly disclose the scope and extent of any firm's prior involvement in the project and does not contain any disclosure statements regarding any consultant's financial or other potential interest in the outcome of the project. These omissions deny decision-makers, stakeholders and members of the public any opportunity to examine, evaluate or comment on the content or quality of the contractor disclosure statement for bias or conflicts.

The objectivity and integrity of the NEPA process has been critically compromised by the lack of required disclosure in the DEIS. Reasonable doubts as to the objectivity and integrity of the NEPA processes are further reinforced by other material deficiencies found in the DEIS.

- B. The objectivity and integrity of the DEIS and the NEPA process is compromised by an inherent bias its use of language to promote build alternatives benefiting only motorized highway traffic.

Subjective, value-laden, and biased language is used pervasively in the DEIS to describe interchange alterations, bridge modifications and highway expansion alternatives in the corridor. Words like "improve", "enhance", and "upgrade" are used throughout the DEIS to describe the proposed modifications and presupposes that the build alternatives are, in fact, "improvements". By using this language, it implicitly conveys to the reader that the proposed action is an inherently good thing. Changes are cast in a favorable light without providing any supporting criteria or analysis as to *why*.

The choice of value-laden adjectives instead of neutral adjectives to describe the build alternatives, and the fact that they are noticeably absent in the description of other reasonable alternatives, also communicates a subtle but very real bias in favor of build alternatives. This predisposes persons who read the DEIS, and especially members of the public, to accept that wider highways or altered interchanges are a good thing without giving them an opportunity to take a "hard look" at the facts in reaching their own conclusion. After all, who doesn't want to "improve", "enhance" or "upgrade" the corridor?

11B



11C

The decision to use this type of language in presenting the information in the DEIS is indicative of a predisposition that favors the project, a bigger highway and other build alternatives over any other approach. Why did the authors use this language? Why not objective, neutral language? What is wrong with saying “wider highway”? What is wrong with saying “altered intersections”?

These are very subtle but very effective way of influencing they way that the readers of the DEIS view the proposed action. This undue subjective influence undermines that is, to afford decision-makers, stakeholders and the public an opportunity to objectively analyze the proposed action and its environmental consequences so that they can draw their own conclusions about the merits of the proposed action.

C. The objectivity and integrity of the DEIS and the NEPA process is compromised by a Project Purpose and Need Statement that is too narrowly crafted.

One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as define competing "reasonable alternatives" out of consideration (and even out of existence). If the agency constricts the definition of the project's purpose and thereby excludes what truly are reasonable alternatives, the EIS cannot fulfill its role.

When the purpose and need is so narrowly crafted that there is only one proposition capable of fulfilling them (i.e. to build a bigger highway), any examination of other reasonable alternatives, which is the heart of the NEPA process, is effectively irrelevant.

The purpose and need statement in the DEIS is so narrowly crafted that it effectively excludes any alternative other than build alternatives that benefit only motorized highway traffic. Chapter I B (p. I-5) provides six bullet-pointed purpose and need propositions, each of which either explicitly or implicitly communicate that only alternatives benefiting motorized highway traffic are acceptable. The introductory sentence to Chapter I B effectively summarizes this point: “The purpose of the proposed project is to add vehicular capacity and improve safety consistent with best design practices along this 4.7 mile (7.6 kilometer) section of I-29/35.”

Further, the DEIS provides no explanation of what is meant by “best design practices”. Does it mean the best urban planning design for modern cities? Does it mean the best engineering design for roadways classified as interstate highways? Or does it mean a best design practices as are consistent with the principles of context sensitive design? Or does it mean an amalgam of both? And if it is an amalgam of both, the lines of where one starts and the other ends are critical to evaluating and understanding the DEIS.

D. The DEIS fails to consider connected actions as required by CEQ Regulations

1. The Interstate Highway System and the I-35 NAFTA trade corridor

11D

The DEIS Overview of Purpose and Need (p. I-5) states under the heading of “Improve Interstate Linkage Across the Missouri River” that the proposed action “is also an important system linkage of the interstate highway system and is part of the I-35 NAFTA trade corridor.”

DEIS Overview of Purpose and Need (p. I-6) states under the heading of “Facilitate the Movement of Trucks” that the proposed action also serves the Northeast Industrial Area and “the movement of international trade along this designated NAFTA corridor.”

The discussion of the specific needs related to the proposed action under the headings “Improve Interstate Linkage across the Missouri River” (p. I-13) and “Facilitate Movement of Trucks” (p.I-18) similarly focuses on regional interstate connections, NAFTA and other regional matters that are outside the study area.

CEQ regulations require that where a proposed action is an interdependent part of a larger action and depends on the larger action for justification, the DEIS must consider every significant aspect of the environmental impact of a proposed action and evaluate different courses of action.

Even the existence of supportive studies and memoranda contained in the administrative record but not incorporated in the EIS cannot bring into compliance with NEPA an EIS that by itself is inadequate.

## 2. The Downtown CBD Loop and Paseo Corridor

The DEIS fails to adequately account for the past and cumulative impacts from the original construction of the Paseo Bridge and corridor, especially as it relates to minority and low-income communities.

NEPA defines cumulative impacts as those impacts that result from the incremental impacts on the environment from a project when added to past, present, and reasonably foreseeable future actions in the same area. These impacts can arise from individually minor but collectively significant actions taking place over a period of time.

11E

It is no secret that in Kansas City, the construction of the downtown loop highways, and the roadway that would become I-29/35, incurred significant disproportional adverse consequences on disadvantaged populations.

85% of the persons displaced were black. The majority of displaced persons were also poor. Most displaced businesses were black-owned. Social structures and institutions like churches, social service agencies and entire communities were devastated by these projects. Columbus Park was effectively isolated from the rest of the city by the highway system construction on three sides.

The proposed action is intimately connected to these actions. Yet the DEIS is woefully inadequate with respect to providing any information or analysis with respect of these and other actions or their respective and collective impacts.

2. The DEIS and the conduct of the NEPA process are insufficient, arbitrary and inconsistent.

A. The DEIS is difficult for a layperson to read.

Environmental impact statements must be written in plain language and may use appropriate graphics so that decision makers and the public can readily understand them.

The DEIS is rife with of jargon and circular references that make reading the DEIS extremely difficult for the layperson, let alone those with limited educational backgrounds like the residents of Columbus Park.

11F

References that would have made the DEIS more readable to disadvantaged persons and that were promised for inclusion in the DEIS were not included. Study representatives promised in an August 2005 letter that Chouteau Courts, Columbus Park and Riverview Gardens would be named in the Table of Contents or Index to the DEIS. This action would greatly improve the readability of the document for uneducated persons. The DEIS does not contain the promised references.

- B. The "The Initial Area of Investigation" is ambiguous, subjective and inconsistently applied.

1. There is no definition or criteria regarding the IAI

Chapter III (p. III-1) of the DEIS introduces the concept of the "Initial Area of Investigation" ("IAI"). According to the DEIS, Chapter III "establishes and defines the baseline conditions within the IAI which enable the evaluation of the potential social, economic and environmental impacts in Chapter IV in relation to specific alternatives". Therefore, an accurate and appropriate definition of the IAI is necessary in order to accurately and appropriately evaluate the affected environment and the environmental consequences from the proposed action. Otherwise, the IAI is ambiguous and subjective and renders the social, economic and environmental analysis in Chapter IV meaningless.

11G

An explanation of the criteria used to establish the IAI is also necessary in order to determine the accuracy and appropriateness of the IAI. The public must have an opportunity to provide relevant input into the criteria.

IAI is not a standard term. It has no generally accepted meaning and is not defined by NEPA, CEQ regulations or any other relevant statute. Therefore, it is the responsibility of the DEIS to establish the definition of the IAI and the criteria that was used to determine the IAI.

The DEIS fails to clearly define the IAI. Exhibit III-1 of the DEIS shows where the IAI is geographically located. Chapter III (p. III-1) provides the only



narrative description in the DEIS as to what the IAI is, that is, a “composite of the initial improvement concepts” (p. III-1).

A review of the “Initial Improvement Concepts” beginning Chapter II (p. II-2) shows that the Broadway Bridge /US 169 corridor; the Heart of America/ Burlington Avenue corridor; and the Chouteau Bridge/ Chouteau Trafficway corridor are all included in the initial improvement concepts (see the “Parallel Arterial Concepts” (p. II-3)). However, those areas are excluded from the IAI on Exhibit III-1. This inconsistency makes it impossible to tell what the IAI is and what criteria was used to determine the IAI. A reasonable person might conclude that the IAI appears to be an attempt to gerrymander the boundaries of the affected environment in order to avoid discussing the significant environmental consequences in the adjacent disadvantaged neighborhoods.

Because it is ambiguous as to what or where the IAI is and subjective as to what criteria are used to establish the IAI, it is impossible to conduct a meaningful examination or evaluation of the baseline conditions and environmental impacts in the affected environment from the DEIS. This renders the DEIS ambiguous and subjective and undermines the very purpose of NEPA- to insure a fully informed and well-considered decision when considering the potential social, economic and environmental impacts of a proposed action in relation to specific alternatives prior to taking action.

## 2. The IAI is too narrowly delineated.

Lacking both a definition and a criteria for determining the IAI, one is left to make assumptions regarding the true meaning and intent of the DEIS with respect to the IAI. Based on the IAI boundaries on the Exhibits to Chapter III, the DEIS appears to have possibly intended that the IAI represents the physical “footprint” of the build alternatives. However, this use of the IAI is too narrow and not appropriate.

Many social, economic and environmental impacts transcend the boundaries and are further removed of the physical footprint of a project. To limit analysis of the Affected Environment to the “physical footprint” is not appropriate for much of the affected environment and many of the environmental impacts the DEIS purports to measure. One size does not fit all. Therefore, the IAI must take an impact-oriented approach to defining the Affected Environment as opposed to a geographic location (i.e. the physical “footprint”) approach.

The potential environmental consequences of the proposed action should be generally identified first. Next the areas where these environmental consequences may take place should be generally identified. Only after this level of analysis has taken place can one “dial in” to a specific geographic area like an IAI. To do the reverse (as the DEIS has done with the IAI) causes potentially significant issues beyond the predetermined physical boundary of the IAI to be missed,

minimized or avoided.

3. The IAI is inconsistently applied.

11I

Even if the IAI were determined to be adequately defined by appropriate criteria and properly delineated in the DEIS, the IAI is inconsistently applied to the environmental consequence being discussed. For example, in Chapter IV D (p. IV-27), the DEIS steps out of the IAI and uses regional analysis to describe positive benefits and to avoid discussion of negative impacts of the proposed project as it relates to Economic Impacts and Air Quality Impacts. No justification for the inconsistent treatment of different environmental consequences is given.

C. The DEIS is insufficient, arbitrary and inconsistent in analyzing alternatives to the proposed action.

As stated in the Council on Environmental Quality ("CEQ") regulations implementing NEPA, the consideration of alternatives is "the heart of the environmental impact statement." As one aspect of evaluating a proposed course of action under NEPA, the agency has a duty to study all alternatives that appear reasonable and appropriate for study as well as significant alternatives suggested by other agencies or the public.

The regulations require that all reasonable alternatives be rigorously explored and objectively evaluated. The existence of a viable but unexamined alternative renders an environmental impact statement inadequate. Even the existence of supportive studies and memoranda contained in the administrative record but not incorporated in the EIS cannot bring into compliance with NEPA an EIS that by itself is inadequate.

Because of the importance of NEPA's procedural and informational aspects, if the agency fails to properly circulate the required issues for review by interested parties, then the EIS is insufficient even if the agency's actual decision was informed and well-reasoned.

1. The DEIS is insufficient in its analysis of reasonable alternatives to the proposed action and does not devote substantial treatment to each alternative considered in detail.

a. Magic-Bullet Approach

11J

The DEIS considers each initial improvement concept only from the perspective of independent alternatives. The DEIS does not consider the alternatives in an integrated, multi-faceted approach that would combine several of the initial improvement concepts into a single strategy as an alternative.



b. Redirecting Non-Local, Interstate Traffic

The 2002 Downtown/Northland MIS found that nearly 40% of the traffic using the Paseo Bridge was interstate traffic, that is, non-local traffic. Kansas City has excess river bridge capacity on other areas on the interstate system. The bridge over the Missouri River on the west side of the I-435 is only operating at 25% of its congestion threshold.

One alternative suggested several times during the DEIS study process was to intercept the non-local interstate traffic at the interchanges of I-29 and I-435 on the northwest; at I-35 and I-435 on the northeast; and at I-35 and I-435 on the south west side (p. I-2, Exhibit I-2) and redirected that traffic onto the circumferential I-435 interstate loop. Those portions of the I-435 loop that received the redirected traffic would also be renamed as I-29/35, as appropriate, to reinforce and reflect the locally desired traffic pattern to non-local interstate highway users. A second suggested alternative suggested involved redirecting only the non-local interstate truck traffic along the same route.

Since 40% of the interstate traffic is non-local, redirecting traffic would potentially result in significantly less traffic, less congestion and fewer environmental consequences in the Paseo Bridge corridor without requiring the significant capital expenditures and other environmental consequences associated with a widening the corridor and building a new bridge. The response by members of the study team and MoDOT representatives to these proposals during the DEIS was that these alternatives had already been studied during the MIS and they were not reasonable alternatives. In fact, the MIS never examined either alternative during the MIS. Further, even if the MIS had studied this alternative, that does not bring the DEIS into compliance with the requirement to study reasonable alternatives. Even the existence of supportive studies and memoranda contained in the administrative record but not incorporated in the EIS cannot bring into compliance with NEPA an EIS that by itself is inadequate.

c. Paseo Boulevard Exit

The location, configuration and design of the exit from south bound I-29/35 onto the Paseo Boulevard is critically important for several reasons, including

- The Paseo Boulevard exit provides access and is a gateway to the east and northeast portions of Kansas City south of the Missouri River.
- The Paseo Boulevard exit is immediately adjacent to three public parks: Kessler Park, Belvedere Park and the Cliff Drive Scenic By-way
- The Paseo Boulevard exit is immediately adjacent to two

11M

neighborhoods contained large disadvantaged populations, Pendleton Heights and Columbus Park.

- The Paseo Boulevard exit is immediately adjacent to three public housing developments that comprise over 30% of all low-income public housing in Kansas City.

The Paseo Boulevard exit is presently a left hand-exit. Members of the public have expressed a desire throughout the DEIS study process that a plan to maintain the existing left hand Paseo Boulevard configuration be included among the build alternatives. A left hand exit was never included as a reasonable alternative in the build alternatives. The DEIS contains no information or analysis of alternatives as to how or why the left hand exit was not considered.

The right hand flyover is unsightly and introduces and objectionable visual element to the community. It requires encroachment on adjacent properties. It exacerbates noise problems which are difficult to control. And the adverse impacts from the flyover will be felt primarily by residents of low income housing developments and disadvantaged neighborhoods.

2. The DEIS is arbitrary and inconsistent with respect to the east leg of the downtown CBD loop.
  - a. The location, configuration and design of the exit ramps from north bound I-35 to US 24/ Independence Avenue and from I-70 WB at Admiral are critically important for several reasons, including
    - The exits provide access from the highways to three neighborhoods (i.e. Paseo West, Pendleton Heights and Columbus Park) that contain a large number of disadvantaged residents.
    - The exit ramp on the east side of the CBD loop designated as both I-70 and US 40 and 71 at Admiral is critical for access to Columbus Park and other northeast Kansas City neighborhoods. It is the only exit ramp on the east side of the loop that allows for a direct connection to Independence Avenue and the surrounding neighborhoods, including Columbus Park
    - The exits provide access to the three public housing developments in the area that comprise over 30% of all low-income public housing in Kansas City.
  - a. The DEIS is inconsistent as to whether the east side of the loop is included in the DEIS. Here's how the DEIS represents the east side of the CBD loop designated as both I-70 and US 40 and 71.
    - The DEIS states that "The project includes the north side of the CBD loop designated as both I-35/70 and US 24/40" (page I-1). (indicates

that the east side of the loop *is not* included in the DEIS)

- Figure I-2 “Study Corridor” (p. I-3) graphically indicates that the study corridor also includes the east side of the CBD loop designated as both I-70 and US 40 and 71. (indicates that the east side of the loop *is* included in the DEIS)
- The DEIS “Project Termini” (p I-4) states that the “For this proposed action...the south terminus of the study corridor (is defined) at US169/Broadway Boulevard on the north side of the CBD loop.” (Since the east side of the CBD loop is farther south than the described southern terminus, it would seem to not be included in DEIS.)
- Figure I-3 “Mainline Alignment Geometric Deficiencies” (p. I-7) highlights a deficiency at Admiral on the east side of the CBD loop designated as both I-70 and US 40 and 71. (included in DEIS)
- Table I-1 “Description of Existing Facility”(p. I-6) indicates that I-35/70 Eastbound from the NE Corner – 10<sup>th</sup> street is part of the existing facility included in the DEIS. (included in DEIS)
- Table I-2 “Description of Existing Bridges” (p. I-8) lists three bridges (L-937, L-938 and L-939-1) that span over I-70 and US 40 and 71 on the east side of the CBD loop. (included in DEIS)
- The Interchange Design Features photograph of the Northeast Corner of the Downtown CBD Loop Interchange (pI-10) shows a photograph of the bridges in Table I-2 and the accompanying text describes an interchange (“northbound I-70[east side of Loop]”) located on the east side of the CBD loop designated as both I-70 and US 40 and 71. (included in DEIS)
- Tables I-3 (p. 12) though I-7 and I-9 and I-10 (p I-16) do not provide any information for the route south of Independence Avenue and on the east side of the CBD loop designated as both I-70 and US 40 and 71 (i.e. areas included in Figure I-2 and Tables I-1 and I-2) . (not included in DEIS)
- Chapter II (p. II-1) makes no reference to interchanges, on-ramps or off-ramps on the east side of the CBD loop designated as both I-70 and US 40 and 71. (not included in DEIS)
- The discussion of alternatives for interchanges in the North CDB Loop Subcorridor in Chapter II (p. II-40) makes no reference to changing, eliminating, or alternatives to interchanges, on-ramps or off-ramps on the east side of the CBD loop designated as both I-70 and US 40 and



71. (not included in DEIS)

- Chapter III “Affected Environment” lists numerous facilities (e.g. Margaret Kemp Park located at 10<sup>th</sup> and Harrison [p III-14] and Table III-5 [p. III-12], The Precious Fragments Full Gospel Church, The Together Center and First Christian Church, and The Covenant Baptist Church [p. III 18], etc.) as being “located within the study corridor”. Each are south of Independence Avenue and immediately adjacent to the east side of the CBD loop designated as both I-70 and US 40 and 71. (included in DEIS)
- Appendix B does not contain an Interchange Alternative Analysis, plate or evaluation matrix for the east side of the CBD loop designated as both I-70 and US 40 and 71. (not included in DEIS)

If the east leg of the loop and the interchanges there are *not* included in the DEIS, it should be clearly stated. If these *are* included in the DEIS, critical information relevant to evaluating the interchanges is absent, such as the data, narrative descriptions or a discussion of reasonable alternatives as was provided for the other interchanges.

This is just one example of how the DEIS is ambiguous, incomplete and inadequate in examining a transportation facility that is vital for access to residents of Columbus Park.

- b. The DEIS does not consider any build alternatives for the east side of the CBD except closure.

D. The conduct of the NEPA process has been arbitrary, inconsistent and insufficient.

1. The conduct of the NEPA process has been inconsistent in the treatment of various parties.
  - a. The lead agency has given substantial deference to groups representing commercial and business interests while denying meaningful participation opportunities to disadvantaged groups.

In March 2005, study team representatives unilaterally decided to abandon attendance at the monthly meeting of the Columbus Park Community Council due to the study team’s view that continued attendance was of “limited additional benefit” despite the fact that there were still significant issues that were unresolved.

Meanwhile, the DEIS study team continued to meet on an individual basis with other interested groups representing business interests to discuss the

11N



conduct of the DEIS.

- b. The DEIS study process has failed to take reasonable steps to seek out and engage disadvantaged populations.

Beginning in October 2004 and continuing thereafter, the DEIS study team was made aware that a significant number of Vietnamese residents lived in the Columbus Park neighborhood who would need special accommodations in order to overcome language barriers and to afford them equal access and meaningful participation in the DEIS process. 2000

Census figures for Columbus Park show that 34% of neighborhood residents are Limited-English-Proficient Persons ("LEP"), that is, they speak English less than very well. LEP persons are individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the transportation provider or other DOT recipient. Of the LEP population in Columbus Park, 88% are Asian.

Language barriers prohibit people who are LEP from obtaining services and information relating to transportation services and programs. Because people who are LEP are not able to read instructions or correspondence written in English and may not understand verbal information, they often are not aware of regulatory requirements and legal implications of the services they seek. Recipients of Federal financial assistance have an affirmative responsibility to provide LEP persons with a meaningful opportunity to participate in publicly funded programs

Further, 27.5% of the neighborhood residents live in Linguistically Isolated Households. An LIH is a household in which no one over the age of 14 speaks English well. LIH is used as a direct measure of those persons with a severe language barrier, as distinct from those of foreign origin who speak English well. Those who are linguistically isolated may also be unable to benefit from transportation services and the services of other DOT recipients, and therefore should receive attention from recipients as a high priority.

In order to avoid discrimination against LEP persons on the grounds of national origin, Title VI and the DOT Title VI regulations require recipients to take reasonable steps to ensure that LEP persons receive the language assistance necessary to afford them meaningful access to their programs and activities. A useful test of compliance with this guidance is to ask the question, "If we do not provide the service in question in a language a beneficiary understands, will the beneficiary still

receive essentially the same benefit or service that we provide to others who are fluent in English?" In the case of the DEIS, the answer is no.

The DEIS study team's efforts to engage this community were insufficient in adequately seeking out or engaging this population. Only the Executive Summary of the DEIS was translated into Vietnamese. No other written materials were translated. While an employee of MoDOT was available as a translator at two of the public hearings held in May 2006, no qualified translation services were offered for availability at any time.

What strategies, if any, were implemented to reduce participation barriers these populations? Has their effectiveness been evaluated? Has public involvement in the planning process been routinely evaluated as required by regulation? Have efforts been undertaken to improve performance, especially with regard to low-income and minority populations? Have organizations representing low-income and minority populations been consulted as part of this evaluation? Have their concerns been considered?

The failure to assure that people who are not proficient in English can effectively participate in, and have meaningful access to, a Department of Transportation (DOT) financial assistance recipient's programs and activities may constitute national origin discrimination prohibited by Title VI and implementing regulations.

The significant discriminatory effects that result from the failure to provide language assistance to LEP persons, places the treatment of LEP individuals comfortably within the ambit of Title VI and DOT's implementing regulations.

2. The conduct of the NEPA process has been insufficient in providing promised information

During the conduct of the DEIS study, study representatives made several commitments to persons representing disadvantaged populations. Two examples which point to the lack of responsiveness include:

- Noise Reports

The noise for the proposed improvements is one of the primary concerns of Columbus Park residents. While the information in the noise reports is summarized in the DEIS, to date the noise reports have never been delivered.

MoDOT has not been forthcoming in providing the noise survey for examination. In October 2004, residents of Columbus Park requested the

11P

noise survey report from DEIS project representatives. At the time, project representatives indicated the noise survey report would be forthcoming soon.

By April of 2005, the noise survey report still had not been provided by MoDOT. After continued inquiries from neighborhood representatives, in May 2005, MoDOT stated in a letter that "MoDOT has also made plans to expedite the internal review of the noise study portion of the study per Columbus Park's request. We anticipate that we will have those documents to you for your use by mid to late June." The noise survey report has never been sent by MoDOT, despite repeated requests and repeated promises by project representatives. *(Note: The adequacy of the DEIS noise information is also summarized later in these comments.)*

- Table of Contents and/or Index References

Study representatives promised in August 2005 that Chouteau Courts, Columbus Park and Riverview Gardens would be named in the Table of Contents or Index to the DEIS, an action that improves the readability of the document for uneducated persons. The DEIS does not contain the promised references.

- Visual Quality Assessment Criteria

Study representatives promised in May 2005 that the DEIS would include the Visual Quality Assessment Criteria used in the DEIS. In discussing the Visual Impacts of the proposed action (p. IV-70), the DEIS references undesirable views and high visual quality, but fails to provide the criteria or methodology for assessing either and does not represent a standard, systematic approach to assessing visual quality. What makes a view undesirable? What makes a view of high visual quality? It is impossible to tell from the DEIS and therefore, impossible to comment.

- Other methodologies

Beginning in October 2004, Columbus Park representatives have asked various members of the study team to provide study methodologies related to various other environmental consequences from the proposed action (e.g. traffic models for local and CBD streets). The study team has repeatedly delayed, deferred or denied provision of the methodologies to the neighborhood, effectively denying the opportunity for meaningful involvement.

- E. The DEIS fails to adequately analyze the environmental consequences of the proposed action.

11Q

1. The Measured Existing Noise Levels in the DEIS are Suspect and the DEIS Data and Analysis of Noise Impacts is Inadequate

When using noise measurements for noise model calibration, the measurement results must be reliable and repeatable. Noise models can account for many topographical and other variations in actual noise levels at measurement sites. However, meteorological factors cannot be accounted for using standard noise modeling techniques. Therefore, measurements used for model calibration must be taken under neutral meteorological conditions. Otherwise, the effects of these non-neutral meteorological conditions will contaminate calibration constants.

Because meteorology can drastically affect the overall noise levels in an area, ANSI Standard S12.8, 1998, titled, "Determination of Insertion Loss of Outdoor Noise Barriers" establishes criteria for defining equivalent meteorological conditions so that noise measurements taken at different times can be compared.

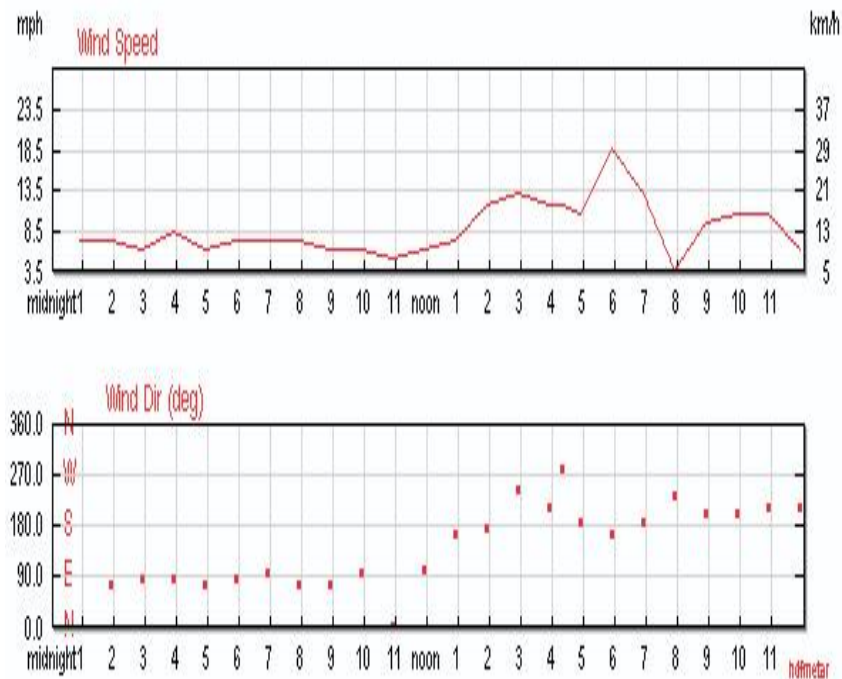
Established criteria for meteorological conditions that are acceptable for taking noise measurements have also been established and include:

- Wind speeds, regardless of direction, should not be greater than 5 meters per second, or 11 miles per hour.
- Wind shear, that is a change in wind speed and direction relative to the location of the noise source and receiver, can cause changes in the noise level measurements. Therefore, taking noise level measurements at times of significant changes in the wind speed or direction must be avoided.
- Cloud cover criteria also apply. For conditions to be considered equivalent, sky conditions or cloud cover should be in the same class.
- Snow, rain, or wet pavement will change tire-pavement noise characteristics, altering traffic noise both in level and frequency. Recognizing the noise variations that can be caused by wet pavement and snow, traffic noise must always be measured under dry pavement conditions

According to Table III-11 of the DEIS (p. III-25), the existing noise levels were measured at nine different locations from 12:13 pm to 5:17 pm on March 3, 2005. Meteorological conditions on the day that the existing noise levels were measured render the data suspect, at best, and more likely, invalidate them for use in the DEIS.

The following graph and table from the National Weather Service shows the wind speed for Kansas City, Missouri on March 3, 2005. As the graph and table indicates, wind speeds regularly exceeded 11 miles per hour that afternoon and the wind direction was radically shifting. These conditions occurred from approximately 1:30 pm through the end of the measuring period.





According to Table III-11 (p. III-35) of the DEIS, noise levels were measured at nine sites (FS-1 to FS-8) during the time of either excessive wind speed or excessive directional change or both. This raises serious questions the integrity of the measured noise levels from FS-3 to FS-8 in the DEIS.

With respect to rain and cloud cover, the following table from the National Weather Service shows the cloud cover conditions and rain for Kansas City, Missouri on March 3, 2005 during the noise level measurements.

Time	Temp	Sky
11:54 AM	51.1 °F	Scattered Clouds
12:54 PM	57.0 °F	Clear
1:54 PM	63.0 °F	Clear
2:54 PM	66.0 °F	Clear
3:54 PM	62.1 °F	Scattered Clouds
4:17 PM	55.4 °F	Rain Light Rain
4:54 PM	54.0 °F	Mostly Cloudy
5:54 PM	53.1 °F	Rain Light Rain

According to Table III-11 (p. III-35) of the DEIS, noise levels were measured at site after it had rained (FS-8).

Additionally, in order to use noise level measurements to model interior noise levels, noise levels must be measured simultaneously at both an exterior and interior location. This was not done in the DEIS.

11R

2. The noise survey in the DEIS is ambiguous as to the noise modeling locations.

The locations where noise is measured is provided in the DEIS but the location where the noise is modeled is not. It is impossible to correlate a modeled receiver i.d. (i.e. an "NS" point) in Tables IV-8, 9 or 10 (p. IV-43) to a discrete point on the Noise Site and Barriers shown on Exhibit IV-4. This makes it impossible to determine the accuracy of the noise impacts analysis.

3. The noise survey in the DEIS is inadequate for determining impacts to low-income housing residents and for conformance with other applicable regulatory standards promulgated by HUD.

- a. HUD's exterior noise goals and standards differ for the MoDOT's NAC.

It is a HUD goal that exterior noise levels do not exceed a day-night average sound level of 55 decibels. This level is recommended by the Environmental Protection Agency as a goal for outdoors in residential areas.

For the purposes of this regulation and to meet other program objectives, sites with a day-night average sound level of 65 and below are acceptable and are allowable.

11S

- b. HUD's interior noise goals and standards differ for the MoDOT's NAC.

It is a HUD goal that the interior auditory environment shall not exceed a day-night average sound level of 45 decibels. Attenuation measures to meet these interior goals shall be employed where feasible. Emphasis shall be given to noise sensitive interior spaces such as bedrooms.

- c. HUD's noise measurement methods differ significantly from MoDOT's.

- HUD's noise measurement method includes the sound level produced as the result of the accumulation of noise from *all sources* contributing to the external noise environment at the site.
- MoDOT's noise measurement method considers only the noise created from highway traffic.

- HUD's noise measurement method adds 8 db to the day-night sound average measurement for loud impulsive sounds.
  - MoDOT's noise measurement method subtracts loud impulsive sounds from the noise measurement.
  - HUD's noise measurement method measures external noise at a site at a location 2 meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source.
  - MoDOT's noise measurement method measures external noise in the next to and in the direction of the highway.
4. The DEIS does not consider the cumulative environmental consequences of noise from all sources adjacent to the highway facility.

11T

Columbus Park contains several sets of railroad tracks including the second busiest rail lines in the BNSF system. It is also in the flight path of the nearby Charles B. Wheeler Downtown Airport. Missouri State Highway 9 forms the western boundary to the neighborhood. There is no accounting for these or any other sources of noise in the noise report nor is there any indication as to the noise levels in the neighborhood when the highway noise from the proposed action is added to the noise produced from other activities permitted by other federal agencies.

A noise contour map showing the modeled noise levels would greatly contribute to an analysis of cumulative noise impacts.

2. The DEIS Analysis of Air Quality Impacts is inadequate and insufficient.

The DEIS improperly limits its evaluation of air quality impacts to a regional conformity determination as required by Section 309 of the Clean Air Act.

11U

The DEIS provides no analysis as to the localized air quality impacts from mobile source air toxics or other respiratory allergens, sensitizers and triggers (e.g. ground level ozone, latex from tires) caused by past actions (i.e. the original action) or from increased traffic from the proposed action as required by NEPA.

It is well established that minorities, low-income, young and the aged suffer disproportionately from respiratory ailments. Minority neighborhood, low-income and Section 8 assisted housing developments (including Columbus Park Plaza, an assisted living center for senior adults), and a disproportionately large number of young and elder persons live in the areas surrounding the project area. The DEIS fails to discuss the effects of localized air quality impacts on vulnerable populations adjacent to the proposed facility.

11V

The DEIS also fails to account for the cumulative localized air quality impacts in the project area from other sources of air pollutants that are located in close proximity to the project area. These include significant heavy industrial facilities in North Kansas City, Mo. (e.g. Davis Paints and Polymers, ADM Milling); a coal-fired steam/chilled water plant (i.e. Trigen) that serves large commercial and industrial uses in downtown Kansas City and in North Kansas City; or the large transportation facilities in the area (e.g. railroad yards and rail lines, Charles B. Wheeler Downtown Airport, or even other highways like Missouri State Highway 9).

5. The DEIS analysis of economic impacts and mitigation measures is inadequate and insufficient.
  - a. The DEIS does not consider cumulative impacts or connected past actions.
  - b. The DEIS does not consider the disproportionate nature of benefits or adverse effects
    - The proposed action results in displacement of traffic from non-disadvantaged areas at each of the other eight Missouri River bridges to the Paseo Bridge corridor. Neither this effect nor the environmental consequences or environmental justice implication are explored in the DEIS.

Additional lane capacity on the Paseo Bridge will cause traffic to be displaced from each of the other eight Missouri River bridges to the Paseo Bridge. Figure II-2 of the DEIS (p. II-26) clearly shows that additional lane capacity on the Paseo Bridge will cause additional traffic to cross at Paseo that, but for the additional bridge capacity at Paseo, would cross another bridge (with only one exception, the effect of the six lane build alternative on the I-435 E bridge). More lanes on the Paseo Bridge means more traffic in the Paseo Bridge corridor and more adverse impacts. Adverse impacts than will be reduced in the other bridge corridors.

- Transportation plays a vital role in our society. In fact, the Supreme Court has recognized that the right to travel is one of the fundamental rights guaranteed by the Fourteenth Amendment to the U.S. Constitution.

Many past and current transportation policies have limited the life chances of minorities by preventing access to places and opportunities. These transportation policies include the reliance on an automobile-dominated transportation system.

Minorities are less likely to own cars than whites and are more often dependent on public transportation. For example 25.7% of Columbus Park households have no access to automobiles. The “transit-dependent” must



often rely on public transportation not only to travel to work, but also to get to school, obtain medical care, attend religious services, and shop for basic necessities such as groceries. The transit-dependent commonly have low incomes and thus, in addition to facing more difficulties getting around, they face economic inequities as a result of transportation policies oriented toward travel by car.

Kansas City has one of the most highly developed highway systems of any metropolitan area in the United States. The Kansas City region has more freeway miles per capita than any other large metropolitan area in the country, and five times as many as Los Angeles. The Kansas City metro area also has the fourth highest total roadway miles per person, the second highest estimated freeway lane miles per person, and the thirteenth most daily vehicle miles traveled (DMVT) per person.

The importance of highway-oriented transportation policies and their inequitable effect on minority and low-income communities by limiting access to social and economic opportunities must be understood in this broader context.

Construction of the Paseo Bridge corridor resulted in the disproportionate displacement of disadvantaged people and disinvestment in disadvantaged communities adjacent to the corridor. Nearly 85% of the displaced persons in the corridor were black (compared to 20% of the general population in Kansas City). The highways were located in areas that were also primarily lower income.

It also created “spatial mismatch”, the disconnect between the locations of housing and jobs suitable for lower-income people. In other words, those who most need entry-level jobs (primarily people of color) generally live in central cities while entry-level jobs are mostly in suburban locations that are not easily accessible from central cities.

- The DEIS does not discuss mitigation measures for disproportionate adverse economic effects to disadvantaged populations.

Since it is clear that disproportionate adverse economic effects are likely to have occurred, mitigating measures are appropriate. Several options exist for mitigation adverse economic consequences of past actions. investing in modifications that provide economic benefits is an appropriate mitigation measure.

Several mechanisms are available through the proposed action to mitigate the economic displacement and disinvestment that has or will take place in the disadvantaged neighborhoods as a result of past, present and reasonably foreseeable future actions.

- Invest in modifications that provide economic benefits to

disadvantaged populations as part of the proposed action.

Formal economic analyses would be undertaken to systematically examine the historic and potential benefits and costs associated with the highway system in disadvantaged neighborhoods affected by the proposed action. For any net negative economic benefit from historic or future actions, the lead agency would be required to invest an equal amount, adjusted to Y2006 dollars, in modifications that would economically benefit the disadvantaged neighborhoods adversely effected by the past highway actions.

These may include:

⇒ Construction of planned modifications near the intersection of Paseo Boulevard and Independence Avenue.

The City of Kansas City and MoDOT have established a redevelopment plan for the area near the intersection of the Paseo Boulevard and Independence Avenue. This redevelopment plan is an important part of a strategy to eliminate blight and promote redevelopment in the disadvantaged communities of Pendleton Heights, Paseo West and Chouteau Courts. The proposed action stops just north of this intersection. These three areas are located within the study corridor for the proposed action, and contain disadvantaged populations that have been and will be adversely impacted by past and future highway projects connected to the proposed action.

The intersection of the Paseo Boulevard and Independence Avenue is a key gateway into downtown as well as the disadvantaged in the northeast and east parts of Kansas City. A key element of the redevelopment plan is roadway realignment and intersection modifications at Paseo Boulevard and Independence Avenue. The plan is stalled due to lack of funding.

To address the negative economic effects of past and future highway projects connected to the proposed action, MoDOT could fund and construct the modifications needed near Paseo Boulevard and Independence Avenue as part of the proposed action.

⇒ Construction of a single point diamond interchange at the Front Street and I-29/35 interchange

The Port Authority of Kansas City is planning future development of a \$300-\$400 million mixed use community at the Missouri River riverfront immediately south of Berkley Riverfront Park.

The planned redevelopment includes a local hiring preference for disadvantaged persons and contractors and an affordable housing component that will benefit lower income neighborhood residents seeking affordable home ownership opportunities.

The Berkley Park redevelopment will be served by the Front Street and I-29/35 interchange. Current plans for the Berkley Park development hinge upon an interchange configuration as generally shown in Alternative Plate B2-03 for the River Crossing Subcorridor in Appendix C of the DEIS. This design is superior in every way to other alternative interchange designs for Front Street except for cost. The cost to build the interchange as shown in Plate B2-03 is approximately \$10 million more than the other designs.

- Relocate the MoDOT maintenance facility that supports I-29/35, I-35/ I-70 and other parts of the downtown loop to an area outside of Columbus Park to allow for redevelopment in the area.

MoDOT presently operates a 4½ acre highway maintenance facility at 5th and Cherry in the Columbus Park neighborhood. The maintenance facility is located in an area that is part of a 22 acre redevelopment project undertaken cooperatively by the City of Kansas City, the Housing Authority of Kansas City, and the Guinotte Manor Tenant s Association. The Housing Authority owns and operates three public housing developments in the study corridor; Guinotte Manor Public Housing Development, Chouteau Courts and River Gardens

The redevelopment plan will eliminate blight and provide employment and affordable housing opportunities for disadvantaged residents. Present estimates of the cost to relocate the MoDOT maintenance facility are \$3.5 to \$4 million. Incorporating relocation costs into the redevelopment project makes it economically unfeasible. Relocating the facility as part of the proposed action would make the redevelopment project economically feasible and serve as appropriate mitigation for negative economic impacts incurred by the neighborhood as a result of past highway projects and the proposed action.

○ Local Hiring Preferences

While minorities often suffer the burdens of having large transportation construction projects placed in their neighborhoods, they do not usually reap the benefits of lucrative contracts or high-paying jobs in the construction industry.

Although minorities represent more than 28 percent of the population, according to DOT, they own only 9 percent of all construction firms and received only about 5 percent of construction receipts. Women-owned construction firms receive only 48 cents of every dollar that they would be expected to receive complemented with strong recruitment, training, and monitoring mechanisms.

To address these adverse impacts and disparities, the DEIS should recommend mitigation measures that include:

- ⇒ A project-level hiring preference for minority contractors from the adversely impacted minority communities.
- ⇒ A project-level hiring preference for disadvantaged persons from the adversely impacted disadvantaged communities.

6. The DEIS is inadequate in the consideration of the cumulative and segregative effects of past actions and reasonably foreseeable future impacts

Substantial investment in highway development and other transportation programs that encourage private automobile use has encouraged and supported low-density developments that extend increasingly farther and farther from the central city and to residential and commercial areas that are increasingly spread out.

11W

Transportation policies that encourage these growth patterns play a substantial role in producing some indirect, negative social and economic effects, including perpetuating residential segregation and exacerbating the inability of minorities to access entry-level employment, which is increasingly found in suburban areas.

#### 7. Isolation and Community Cohesion

Columbus Park is already isolated as a result of past highway construction on three sides of the neighborhood. Construction of Interstates 29 and 35 severed all but one surface street (Independence Avenue) between Columbus Park and the adjacent neighborhoods to the east in Northeast Kansas City. Construction of Interstates 35 and 70 (the north side of the CBD loop and the south boundary of the neighborhood) severed all but one surface street (Charlotte) between Columbus Park and the CBD of Kansas City. And construction of M-9 (the west boundary of the neighborhood) eliminated all but two surface streets between Columbus Park and the River Market.

11X

By making the highway wider, the proposed action reinforces the severances on the east and south sides of the neighborhood. Additionally, it disconnects Independence Avenue from Cherry Street on the west side of the neighborhood, further increasing the isolation. This will also cause additional traffic in the neighborhood as motorists between the River Market and Northeast Kansas City can no longer use Cherry to get



to Independence Avenue and cut through the neighborhood instead. Most of the streets in the neighborhood have only a 33 foot curb to curb road surface. Additionally, a significant number of properties have little or no off street parking. The additional cut-thru traffic in the neighborhood will create a traffic safety issue for both motorists and pedestrians. The DEIS fails to even mention these potential adverse impacts, let alone quantifying them through traffic modeling or a traffic study to determine the full extent of these impacts.

And, as if that were not enough, this project eliminates the two primary exits to Columbus Park from the highways while at the same time removing the two primary entrance ramps neighborhood residents use to enter the highway system. (The exits are located on the east side of the CBD loop from I-70 WB to Independence Avenue, and on the north side of the loop from I-35 NB to Independence Avenue. The entrance ramps are to I-35 SB at Troost and to I-70 EB at Admiral.)

Clearly, cumulative impacts from highway actions alone have resulted in isolation and negative effects to community cohesion. The DEIS does not even consider these, neither as a result of the proposed action nor from past actions. In fact, the DEIS asserts that access for the neighborhood will actually improve as a result of the project!! Of course, that assertion is not demonstrated by traffic modeling or a traffic study, either.

8. The DEIS is inadequate in analyzing the traffic congestion and traffic safety impacts of the proposed project on the streets adjacent to the proposed action.

Traffic modeling shows and an expanded Paseo Bridge would increase the number of vehicles crossing the bridge by between 25,000 and 38,000 over present values. This represents a 25% to 38% increase over existing traffic levels.

11Y

However, the DEIS does not demonstrate the impact of this increase on the streets surrounding the proposed action. Do the streets have the capacity to handle the additional 25% to 38% increase in traffic? If so, what are the environmental consequences of the increased traffic? The DEIS is inadequate in its analysis of this issue.

Further, with respect to traffic safety, responding to traffic safety concerns by proposing the construction of wider and straighter highways roads may actually reduce traffic safety. In fact, new research suggests that lower-cost techniques may be more effective and that traditional "safety improvements" such as larger and straighter roads with longer sight lines may actually lead to increases in fatalities and injuries because they encourage higher travel speeds. One study in particular (R. Noland), found that infrastructure improvements such as road widenings resulted in 1,700 additional deaths and 300,000 additional injuries. This issue should be more fully explored.

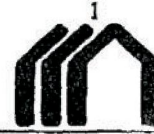
Transportation policies that favor reliance on automobiles and building busy roads in minority communities also raise another public health concern: personal safety particularly that of minorities and low-income individuals who live in urban areas. Overall, African Americans and Latinos have a pedestrian fatality rate that is almost twice as high as that of whites,<sup>164</sup> and they have a higher percentage of pedestrian fatalities than their percentage of the population in the United States.

Disparities in the number of pedestrian deaths are exacerbated because higher percentages of people of color than of whites do not own a car and must rely on walking as a primary mode of transportation. An analysis of 2000 census data show that these minorities are much more likely than whites to walk to work. One study of pedestrian injuries found that children who are pedestrians are at increased risk for serious traumatic brain injury and lifelong disability if they live in poverty, face a large traffic volume and traffic moving at high speeds, and lack space to play other than sidewalks and streets.

National Highway Traffic Safety Administration data show that the most dangerous roads for pedestrians are those that have multiple lanes, high speeds, no sidewalks, long distances between intersections or crosswalks, and roadways lined with large commercial establishments and apartment blocks.

The proposed action should support a safe environment for pedestrians.

www.hakc.org



Housing Authority of  
Kansas City, Missouri

May 22, 2006

Mr. Kevin Keith,  
Chief Engineer  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, Missouri 65102

RE: I-35/I-29 Corridor Draft EIS

Dear Mr. Keith:

We have appreciated the opportunity to review the Draft Environmental Impact Statement prepared by the Missouri Department of Transportation for the planned improvements to the I-29/35 Corridor.

As MoDOT has cited in its study, Executive Order on Environmental Justice 12898 states that "to the extent practicable and permitted by law, neither minority nor low-income populations may receive disproportionately high or adverse impacts as a result of a proposed project."

It is our position that this project will have a greater environmental impact on the three public housing developments of Guilfoyle Manor, Riverview, and Chouteau Courts than on any other residential neighborhood in the study corridor. All three are in the immediate vicinity of the highway right-of-way. Together these three developments comprise 587 families with a total population in excess of 1,500. The residents of these developments are primarily minority. The average family income is extremely low – under 20% of area median income.

It is further our position that the heart of this document – Chapter IV Environmental Consequences, provides insufficient data and projections to fully and accurately judge the extent and nature of the impact of the project on these three public housing developments. Our concerns regarding impact can be summarized as follows:

12A

1. **Air Quality** – standards are presented in the EIS, but potential impact as specific locations during peak traffic periods is not addressed. Will there be a significant decline in quality?

301 E. Armour Blvd.  
Kansas City, MO 64111-1252

OFFICE  
(816) 968-4100

TELETYPE-DEAF USERS  
(816) 968-4106

FAX  
(816) 968-4110

12B

2. **Sound** – current levels and projections are provided for specific locations. However, the projected impacts do not seem proportionate to the projected increase in traffic, nor is there an indication of the specific sound management measures that are assumed in making these projections. We understand these measures may evolve during the design-build process. Structural changes in the corridor such as a Paseo flyover could have a significant impact on sound at specific locations due to reflection, and this impact is not addressed.

12C

3. **Vibration** – is referenced in Chapter III, but its impact is deemed negligible, and the impact is not quantified in Chapter IV. We know from first hand experience that vibration becomes a housing maintenance factor e.g. we have had to eliminate incandescent porch lights by the highway in the Guinotte Manor development because the vibration wore out filaments too quickly.

We are more concerned about structural damage due to vibration. The Chouteau Courts development is built on an old landfill. We have had structural damage from settling in the past due to drought. Increased vibration from construction and increase traffic volume could accelerate settling and building damage. We do not see a soils engineering report or potential road engineering measures addressed.

12D

4. **Traffic Patterns and Neighborhood Accessibility** – We are glad to see that preferred alternatives for construction have considered previous community input, and preserved the Troost bus route. We do not believe, however, that there is sufficient analysis of this issue in the EIS. Maintaining a viable Independence Avenue corridor relatively free of congestion is important. This is the primary east/west access for jobs, shopping and services for our residents.

We have worked hard to improve the quality of life at these three public housing developments. During the past twelve years over \$44 million in public and private financing has been invested in Guinotte Manor, Chouteau Courts, and Riverview. It is our mission to maintain these public housing developments as assets for years to come for low income families striving to achieve self-sufficiency.

Our public housing families have appreciated the opportunities for public input provided by your agency to date. We would however, request that a specific seat be assigned on the implementation committee for a public housing representative. We believe the residential stakeholders are currently under-represented on the committee.



3

We appreciate your department's commitment that public input will continue to be taken during the design-build process. We look forward to continuing to work with you and the Department throughout the planning and construction phases.

Sincerely,



Edwin T. Lowndes,  
Executive Director

CC:

Ms. Peggy Casey, Environmental Projects Engineer, Federal Highway Administration

Jeffrey K. Lines, Special Master

Joe Egan, Chairman, HAKC Board of Commissioners

State Senator Charles Wheeler

Mayor Kay Barnes

Mike Sturgeon

Deborah White

Martha Allen

Julie Levin



**Missouri Bicycle  
Federation, Inc.**

**Kansas City Office**

**Brent Hugh,  
Executive Director**

P.O. Box 104871

Jefferson City,  
MO 65110-4871

Email: [director@  
mobikefed.org](mailto:director@mobikefed.org)

Web: [MoBikeFed.org](http://MoBikeFed.org)

## Making Missouri a better place to ride a bicycle!

I-29/I-35 Draft EIS  
c/o HNTB  
715 Kirk Drive  
Kansas City, MO 64105

RE: I-29/I-35 Draft Environmental Impact Statement

This is the statement of the Missouri Bicycle Federation in response to the I-29/I-35 Draft Environmental Impact Statement.

The Missouri Bicycle Federation represents its own members and a coalition of bicycle, walking, and running groups in Missouri and Kansas with combined membership of over 10,000.

We appreciate MoDOT's effort to make the I-29/I-35 project as open to public input and transparent as possible. We appreciate MoDOT's good faith in listening to and carefully considering a large amount of public input.

We appreciate the effort and consideration MoDOT and its partners have put into evaluating the environment and impacts of this project for bicycle and pedestrian travel in the region. The following are intended as constructive comments and suggestions for additional improvements or considerations that will help complete and strengthen the EIS and the I-29/I-35 project as a whole and particularly as to its impact on bicycle and pedestrian travel and connectivity in the region.

Giving serious consideration to the importance of bicycle and pedestrian travel is a relatively new undertaking for all agencies in the Kansas City region. We all have a lot to learn and—based on local and national statistics that indicate that the rate of bicycling and walking in the Kansas City metro area is less than half the national average—there is still much to be done. Our interest is in partnering with public agencies like MoDOT to help create a better transportation experience for everyone in the metro region.

Because this project has the potential to create the first really convenient and safe Missouri River crossing in the Kansas City metro area for bicyclists and pedestrians, this project has generated far greater than normal interest within the bicycle and pedestrian community. We very much appreciate the time and effort taken by MoDOT and HNTB to carefully consider the ideas and concerns of bicyclists and pedestrians as they respond to this project.

We also appreciate MoDOT's full engagement in the recent local process that created a new bicycle/pedestrian river crossings policy for the metropolitan area.

### **Bicycle and pedestrian users in Kansas City**

Many of our members need or would prefer to have the option of safely crossing the Missouri River on foot or on bicycle. Some would cross for pleasure or recreation, some for work, shopping, school, or business. Some would like to cross the river but are unable or unwilling to, given the state of bicycle and pedestrian access and safety on current

*Missouri Bicycle Federation, Inc., page 2*

Missouri River bridges in the area. Some have tried crossing using current bridges but feel unsafe doing so again, or will only consider crossing Missouri River bridges during low-traffic periods.

Our members and members of our affiliated organizations comprise those who are very skilled bicyclists down to those who are beginners. It includes those who walk or run many miles weekly and month and those who walk just a few miles every year. Some bicycle or walk purely at will for recreation, others depend on bicycling and walking for a small or large percentage of their basic transportation. Many own and use automobiles but some, by choice, do not own an automobile. Some are not allowed to drive automobiles or feel unsafe doing so (sometimes because of medical conditions or age). These people depend on a combination of bicycling, walking, and transit for all of their basic transportation needs. Others depend on bicycling, walking, and transit for basic transportation because of economic necessity. For these it is vitally important to link industrial areas, where jobs are, to neighborhoods where they live. For everyone it is important to link to areas of scenic, environmental, historical, and cultural significance like the Missouri River.

Among our members there is a wide range in their toleration for the amount of traffic: some will gladly cross the Heart of America or Platte Purchase Bridge at is currently is, even at high traffic periods. Others will not even consider using a river crossing unless it is completely separated from traffic and "trail safe". Our members include families with young children who often ride on quiet streets or trails. Many families bicycle on local trails or the Katy Trail routinely and these families and children would bicycle or walk in the area of the Missouri River if safe accommodations were available.

Whatever accommodation for bicycle and pedestrian travel is provided on the Paseo Bridge should meet the needs of all of these users. No current bridge crossing in the area meets these all these needs. The economic impact of failing to meet these needs is substantial. Failing to provide people with connections to jobs hurts the area's labor force. Failing to allow the population to connect to and cross the Missouri River deprives our population of access to a major cultural, historical, and recreational resource. Because other cities around the country are connecting to their riverfronts and oceanfronts, when Kansas City fails to do so it also hurts the economic development of the entire metropolitan region, making it less attractive to both employers and employees.

**Integration with regional long-range plans**

We appreciate MoDOT's cooperation with MARC and other cities, counties, and agencies in creating the region's long-range transportation plan. We believe that this project must fit into the region's goals and vision for transportation as articulated in MARC's LRTP. If large and significant projects such as these do not align with the LRTP, then the LRTP is rendered meaningless.

In particular, the LRTP looks and streets and highways, public transportation, pedestrian elements, bicycle elements, good movement, environmental concerns, transportation management, and safety. If a large and central project such as the I-29/I-35 neglects one of



*Missouri Bicycle Federation, Inc., page 3*

these elements or creates an impediment to it, then the purpose of the LRTP is frustrated in an important way.

The LRTP says, "The plan views transportation in terms of the movement of people and goods, not just vehicles. . . . [I]t stresses the interrelationships between these modes and promotes the integration of the individual facilities and services into a system that efficiently and cost-effectively meets the access and mobility needs of the region." (Transportation Outlook 2030 Update, Executive Summary, page 1).

We feel strongly that the purpose and needs of the I-29/I-35 project must dovetail with these regional goals.

#### **Project Purpose and Needs**

The purpose and need of this project is very narrowly drawn. Unfortunately, because of the nature of the given purpose and need, and because it considers only automobile traffic, decisions made in accordance with this purpose and need will have a detrimental effect on the social, cultural, and natural environment of the Kansas City area.

The purpose and need should be re-written to reflect the stated needs of the region, the state, and the nation:

13A

- MARC's LRTP stresses the movement of people and goods and the interrelationship between transportation modes. Each project should strengthen various modes. Furthermore, three of the LRTP's focus areas are relevant to this project: Increase modal choice, Better integrate projects into the community, and Better manage roadway capacity.
- MARC's recently adopted river crossings policy states as its objective, "to ensure that safe, practical and appropriate bicycle and pedestrian accommodations will be considered in the planning and design of all surface transportation projects that cross the Kansas and Missouri Rivers in the Kansas City metropolitan area and that such accommodations will be made wherever warranted and feasible."
- MoDOT's own vision is of "a world-class transportation experience", which suggests integrating the needs of people more than simply automobiles—which is but one of numerous ways people transport themselves and their goods.
- MoDOT's TrailMap for Nonmotorized Transportation has the vision "To make Missouri a world-class state in which to bike and walk" the value "Giving Missourians the ability to choose to walk or bike to destinations" and "giving all Missourians the freedom to choose nonmotorized transportation by providing access, connectivity, encouragement and opportunity."
- 23 USC 135 says, "It is in the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas, while minimizing transportation-related fuel consumption and air pollution."



*Missouri Bicycle Federation, Inc., page 4*

This is a large and expensive project that will have a tremendous impact on Kansas City's future. The social, environmental, and cultural impacts of failing to align this project with these regional, statewide, and national transportation goals will be large.

We strongly suggest aligning the project purpose and needs with the overall goals of the region, state, and nation, including the primary need move people and goods, to increase multimodal choice, to integrate transportation into the community, and to better manage roadway capacity.

### **The Logic of Project Evaluation**

According to the logic employed in evaluating the different proposed alternatives, each alternative was considered separately against the stated purpose and needs.

If a particular proposal *standing on its own* did not meet the stated purpose and need then it was eliminated from further analysis. (We do understand that these proposals could then later be considered as a sort of "add-on" to the main proposal.)

A serious problem with this type of analysis is that it is unlikely to arrive at the optimal solution to the problem of dealing with Kansas City's transportation problem. Many of the proposed alternatives, such as bike/ped, transit, traffic management, and parallel arterials, were not necessarily intended to stand alone. Rather, they are proposals that improve the effectiveness or expand the reach of whatever main proposal is adopted.

Furthermore, there will in many cases be a synergistic effect among various proposals. For instance, traffic management systems may improve the attractiveness of HOV lanes and transit systems. Better bicycle and pedestrian accessibility (especially on streets that cross the interstate freeway, giving better access to transit stops) may increase the viability of transit. A preferred alternative that combines various approaches is almost certain to be more effective in moving people and goods and reducing environmental impact than any one proposal standing on its own.

Since proposals are not considered in groups the DEIS cannot analyze these "combined alternatives" or their cost effectiveness.

The result is that the preferred alternative almost certainly has a greater environmental and social cost than necessary.

The EIS should fairly and fully examine all options and combinations of options that may be able to move people and goods across the Missouri River, including transit, traffic management, parallel arterials, bicycle pedestrian, and adding additional travel lanes. A combination of several of these options will almost certainly meet the needs of our community better than any one option alone.

The option chosen should meet the needs of all area residents, including the more than 25% who have no driver's license and the more than 8% of area households with no access to an automobile.

13B

*Missouri Bicycle Federation, Inc., page 5*

### **Community Advisory Group**

Because the design-build process will be greatly accelerated and will not have some of the opportunities for public input that would normally be available, we feel that it is very important to maximize the opportunities for public involvement that will be available. It takes time and effort for organizations such as ours to educate our members and citizens about the ramifications of these projects and the decisions that are made. Accelerating the project does create many practical barriers to full citizen involvement.

13C

For this reason, we feel it is imperative that the bicycle and pedestrian community, public transit organizations and other appropriate organizations be given a voice on the project's Community Advisory Group. General community members do not have the specialized knowledge and viewpoint about bicycling, walking, and running in the community that those do who actively walk, run, bicycle, organize events, and continually communicate with others who do the same. Those who rely primarily on automobiles for transportation simply do not have the same viewpoint as those who rely primarily and bicycling, walking, or transit. All these viewpoints need to be at the table if we are to design a project that works for all citizens of the metropolitan area. Furthermore, these general community members do not have the ear or trust of the large and active local walking, running, and bicycling community. For all those reasons it is necessary to have a representative of Kansas City's bicycling/walking/running community on this committee.

### **What is the Current State of Bicycle and Pedestrian Access Across the Missouri River?**

We agree with the statements in the DEIS, "The Missouri River crossing is a major constraint for bicycle and pedestrian travel" (page II-6) and "The Missouri River is a major barrier for pedestrian and bicycle interactions between the Northland and Downtown" (page S-15).

There is currently no Missouri River Bridge in the Kansas City area that safely accommodates pedestrians.

13D

Bicycle access across the Missouri River is very difficult for all users and, for many users, impossible. The Heart of America Bridge currently accommodates skilled bicyclists accustomed to riding in heavy, fast traffic via a wide shoulder on the northbound side and a very narrow shoulder on the southbound side. Even experienced bicyclists hesitate before using this facility during heavy traffic hours. The Chouteau Bridge provides excellent bicycle accommodation for the typical on-road bicyclist via its wide shoulders, but is distant from downtown Kansas City and, because of difficulties in the connecting roads, is difficult for bicyclists to access on both ends.

No other Missouri River bridge allows any safe bicycle access.

No facility currently serves the "average" pedestrian or bicyclist--children, families, inexperienced bicyclists, trail users, or those with disabilities.

*Missouri Bicycle Federation, Inc., page 6*

An evaluation of Kansas City area river bridges from the perspective of the bicyclist and pedestrian, along with photo documentation of each bridge, is here:

<http://www.brenthugh.com/kcmoriverbridges/>

### **Should Bicycle/Pedestrian Accommodation Be Considered?**

Should bicycle and pedestrian accommodation be considered as part of Paseo Bridge?

Section 652.5 of the Federal-Aid Policy Guide says, "The safe accommodation of pedestrians and bicyclists should be given full consideration during the development of Federal-aid highway projects, and during the construction of such projects."

MoDOT's Practical Design Implementation Guide states: "The provision of bicycle facilities on improvement projects during planning, and design activities is necessary when any one or more of the following conditions exist" and lists six warrants. The Paseo Bridge project meets these five of the six total:

- The local jurisdiction has a comprehensive bicycle policy in the area of the proposed improvement.
- There is public support through local planning organizations for the provision of bicycle facilities.
- Bicycle traffic generators are located near the proposed project (i.e. residential neighborhoods, employment centers, shopping centers, schools, parks, libraries, etc.).
- There is evidence of bicycle traffic along the proposed project or the local community supports the incorporation of facilities at this time.
- The route provides access across a natural or man-made barrier (i.e. bridges over rivers, roadways, or railroads or under access controlled facilities).

The Practical Design guide goes on to say, "The provision of pedestrian facilities on improvement projects during planning, and design activities is necessary when any of the following conditions exist" and lists six warrants. The Paseo Bridge project meets these five of those warrants:

- The local jurisdiction has a comprehensive pedestrian policy in the area of the proposed improvement.
- There is public support through local planning organizations for the provision of pedestrian facilities.
- Pedestrian traffic generators are located near the proposed project (i.e. residential neighborhoods, employment centers, shopping centers, schools, parks, libraries, etc.).
- There is evidence of pedestrian traffic along the proposed project or the local community supports the incorporation of facilities at this time.
- The route provides access across a natural or man-made barrier (i.e. bridges over rivers, roadways, or railroads or under access controlled facilities).

13E



*Missouri Bicycle Federation, Inc., page 7*

MARC's River Crossing Policy states:

The investigation and evaluation of bicycle and pedestrian accommodations in all projects for bridges crossing the Missouri and Kansas Rivers during planning and design activities is necessary when both of the following conditions exist:

- a) Existing or Anticipated Demand – Warrant accommodations exist when sufficient existing or planned future bicycle or pedestrian traffic generators are located within one mile of the project. Such generators may include residential neighborhoods, employment centers, shopping centers, schools, parks, trails, etc. Local governments should assist project sponsors in defining when current and future bicycle and pedestrian traffic generators will result in sufficient need to warrant accommodation. For projects where no existing or planned bicycle or pedestrian generators are located within one mile of the project, the project sponsor should also consider including provisions for future bicycle and pedestrian accommodations if the anticipated life of the project exceeds the planning horizon of the LRTP. However, each bridge shall be evaluated on its own merits with a decision based on a technical evaluation, not a set distance from traffic generators.
- b) Legal Access – Bicyclists and pedestrians are legally allowed to use roadways except where prohibited by law or local traffic ordinance. If bicyclists and pedestrians are not legal users but other safe, practical, and appropriate accommodations for bicyclists and pedestrians can be established elsewhere within the right-of-way or within the same transportation corridor, the project sponsor should investigate and evaluate such accommodations.

Condition a) is clearly met. Condition b) requires, in this case, the project sponsor to investigate and evaluate whether safe, practical, and appropriate accommodations for bicyclists and pedestrians can be established elsewhere within the right-of-way or within the same transportation corridor.

For this reason we strongly support MARC's recommendations for the DEIS, particularly Recommendation #10 to "conduct a planning process to resolve questions of bicycle/pedestrian accommodation in the corridor". All available options for creating bicycle/pedestrian river crossings within the project corridor must be rationally considered and the DEIS only partly fills this requirement.

**SAFETEA-LU on Connecting Bridges for Safe Accommodation of Bicycles**

23 USC 217 (e) states:

In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations.

Does the Paseo Bridge fulfill all four requirements of this provision?

13F



*Missouri Bicycle Federation, Inc., page 8*

1. The bridge is being replaced or rehabilitated.
2. There is Federal financial participation.
3. The Paseo Bridge will connect Front Street on the south bank of the river, where by state law bicycles are allowed to operate, and East Levee Road and Bedford Road on the north side of the bridge, where by state law bicycles are allowed to operate. So bicycles are allowed to operate at each end of this bridge.
4. Almost certainly such bicycle facilities can be provided at reasonable cost—perhaps as low as 1 to 2 percent of total project cost (though a cost analysis should be performed and is not part of the present EIS).

**Bicycle/Pedestrian Alternatives to Be Considered**

Feasible options for creating safe bicycle and pedestrian crossings of the Missouri River which should be considered as part of the I-29/I-35 EIS include:

1. A separated bicycle/pedestrian path alongside the travel lanes on the east side of the Paseo Bridge.
2. A separated bicycle/pedestrian path alongside the travel lanes on the west side of the Paseo Bridge.
3. Separated bicycle/pedestrian paths alongside the travel lanes on both the east and west side of the Paseo Bridge.
4. A separate bicycle/pedestrian path underneath the Paseo Bridge.
5. Preparing the structure of the Paseo Bridge so that it can accept the future addition of options #1, #2, #3, and/or #4 but not actually constructing those paths at this time.
6. Reconfiguring the lanes on the Heart of America Bridge so as to create a separated bicycle/pedestrian path.
7. Adding a cantilevered addition to the Heart of American Bridge, on the east side or the west side, so as to add a bicycle/pedestrian path.
8. Adding a bicycle/pedestrian path underneath the Heart of America structure, perhaps similar to the Belle Isle Pedestrian Bridge--see <http://www.bridgemeister.com/pic.php?pid=126>
9. Adding a bicycle/pedestrian path to the ASB railroad bridge, either alongside the railroad tracks, or the superstructure, or cantilevered, as feasible.
10. Any other feasible option as determined by an engineering study as part of the Paseo Bridge design.

The Paseo Bridge should be designed for future flexibility, including addition of bicycle/pedestrian facilities and transit facilities should demand increase in the future.

**Why Bicycle/Pedestrian Crossings on Both Heart of America and the I-29/I-35 Bridge are Necessary**

We appreciate MoDOT's support, as indicated in the EIS, for creating a separated bicycle/pedestrian lane on the Heart of America bridge.

We strongly support creating safe bicycle and pedestrian facilities on *both* the Heart of America Bridge and the Paseo Bridge. Each bridge serves different geographical areas and will meets the needs of different users. All options for creating bicycle and pedestrian crossings should be evaluated and we support MARC's initiative to do make this happen.

*Missouri Bicycle Federation, Inc., page 9*

Detailed reasons bicycle/pedestrian accommodations are needed on both Heart of America and Paseo bridges:

- The two bridges are quite distant, especially for pedestrians. For someone near the Paseo Bridge, a detour to Heart of America and then back will more than triple the total length of the trip across the river.
- The two bridges serve distinct geographical areas and neighborhoods--areas that are not well linked for the bicyclist or the pedestrian. From the bicycle/pedestrian perspective, the two bridges are far from interchangeable. Access on either bridge does not replace the other.
- The Paseo Bridge will make a better connection for trail users, connecting the south Levee Trail to the north Levee Trail. This becomes the safe, family-friendly bicycle/pedestrian trail link that connects the Katy Trail across the river to St. Joseph and Omaha.
- The Heart of America will be very awkward, circuitous, and perhaps dangerous for trail users to access. However if bicycle/pedestrian access problems at both ends can be solved, HOA may be the better way to connect the downtown KCMO street and sidewalk network with the North Kansas City street and sidewalk network.
- The DEIS proposes reconfiguring Heart of America or perhaps removing a lane to create a separated bicycle/pedestrian path. This may be the most economical option for creating a bicycle/pedestrian crossing on the Heart of America bridge (though we do not know this, because other options are not analyzed). However, reconfiguring the Heart of America bridge, especially if this involves removing a lane, may not be politically feasible.

#### **Bicycle/Pedestrian Connectivity Issues**

The Paseo Bridge helps motorists over many obstacles, more than just the Missouri River.

The area near the Missouri River features steep grades, industrial areas, and many railroad tracks. The Paseo project helps motorists overcome all of these obstacles.

In a similar way, bicycle/pedestrian crossings in this area must help users overcome all these obstacles as well—they must do more than simply get users over the Missouri River.

The Missouri River bicycle/pedestrian crossing is the crux of a quad-state plan of interconnecting bicycle paths totaling many hundred miles in length. Without a Missouri River crossing safe for trail users—many of whom are very uncomfortable operating on city streets—the entire quad-state trail system falls into two separated halves (see attached map, below).

For this reason, a very important connectivity issue is to connect the two sides of the Missouri River for trail users. This means a path that connects the south levee trail to the



*Missouri Bicycle Federation, Inc., page 10*

north levee trail and allows users to cross the river without ever entering the city street system. This is the "lowest common denominator" that is accessible to and safe for all users including children, the disabled, and the elderly.

The DEIS examines the possibility of creating a separated bicycle/pedestrian path on the Heart of America Bridge. However it does not examine the connectivity of such a path. How would bicyclists and pedestrians safely enter or exit such a path? Would there be safe connections with the trail system? On the north side the Heart of America bridge ends at a complex, busy intersection with many lanes. How will bicyclists and pedestrians safely negotiate this intersection in order to enter or exit the proposed path? On the south side of Heart of America, how will users on the levee trail negotiate the steep grade and the set of railroad tracks between the levee trail and the entry to the Heart of America Bridge? This will undoubtedly require a long and complex route on busy city streets, where the young, the elderly, and timid bicyclists will not feel comfortable or safe operating.

Similarly, the connectivity possibilities for the Paseo Bridge should be carefully examined. The possibility of connecting Columbus Park and the planned Port Authority development near Berkeley Riverfront Park to the planned north levee trails and the industrial area north of the river is a very significant connection. It connects people to the Missouri River, a cultural, historical, and recreational resources. It connects people to jobs and potential jobs in the industrial area. And over the next 100 years the industrial area may well be developed into a mixed-used or residential area—that is a trend in riverfront areas and could as easily happen north of the river as it is now happening south of the river. In general the Paseo bridge has better potential to create a levee trail-to-levee trail connection, while the Heart of America bridge has better potential to create a street-to-street connection between downtown areas of Kansas City and North Kansas City.

Both types of connections are very valuable and necessary.

#### **Bicycle/Pedestrian Crossing Near or Adjacent to an Interstate Freeway**

Some MoDOT officials have maintained the locating a bicycle/pedestrian path near an interstate freeway is unsafe. We believe that years of experience in operating such facilities at locations across the country have shown that such facilities are indeed safe, feasible, and reasonable if separated appropriately from freeway traffic and constructed properly.

13J

If this type of facility is actually dangerous then the EIS should demonstrate this fact through data from the existing facilities. If, as we believe, the data support the safety of such facilities, then the EIS should acknowledge this fact.

Right now the DEIS presents no data on this issue. In the absence of clear data the assumption must be that such facilities are safe, because they are being built on bridges across the country. These facilities have a long history and are being built with increasing frequency. This indicates that there is sufficient data to establish the safety of such facilities and that other DOTs around the country are, indeed, finding these facilities safe.

*Missouri Bicycle Federation, Inc., page 11*

Even here in Missouri, numerous bicyclists and pedestrians safely use the Page Avenue Extension (MO Hwy 364) Missouri River bridge in the St. Louis area each year. This bridge has 10 lanes of high speed traffic and a separated bicycle/pedestrian path similar to that proposed for the I-29/I-35 bridge. In Kansas City, Kansas, the Woodswether Bridge is a bicycle/pedestrian path across the Kaw River on the lower level of the I-70 bridge. Its safety is in no way affected by the fact that is part of an interstate bridge structure.

A partial list of interstate freeway bridges in the United States with bicycle/pedestrian crossings as part of the bridge structure:

- Interstate 90 floating bridges across Lake Washington, Seattle—8 lanes plus bike/ped lane immediately adjacent, separated by a cement barrier.
  - I-494 over the Mississippi River near Minneapolis, Minnesota—path is immediately adjacent to the freeway, separated by a stone barrier.
  - Squaw Peak Freeway in Phoenix AZ
  - Appalachian Trail at I-80 Delaware Water Gap NJ-PA
  - Wonders Way on the Ravenel Bridge Charleston S.C. (new)
  - I-84 Newburgh Beacon Bridge over the Hudson River, NY
  - I-95 Gold Star Memorial Bridge over the Thames River, New London, CT
  - George Washington Bridge I-95 NY-NJ includes a sidewalk accessible to pedestrians on the south side and a path accessible to bicyclists and pedestrians on the north side
  - Ben Franklin Bridge I-76 PA-NJ
  - I-95/I-495 bridge over the Potomac on the Capital Beltway in Washington, D.C., now under construction, will have an adjacent shared-use path on the bridge for more than a mile
  - I-90 bridge over the Fox River in the Chicago area has a bicycle path underneath the main bridge
  - I-80 crossing the eastern reaches of San Francisco Bay has an adjacent bicycle/pedestrian path
  - I-680 crossing San Francisco Bay in California will have an adjacent bicycle/pedestrian path (under construction)
  - I-10 over the Colorado at Blythe, CA
  - Scudder Falls Bridge I-95 PA-NJ (proposed)
  - Woodrow Wilson Bridge I-95 MD-VA (proposed)
  - The Record of Decision for two planned new interstate highway bridges across the Ohio River in or near Louisville includes separated bicycle/pedestrian facilities for both bridges
  - Interstate 395 bridge across the Potomac River in Washington, D.C. (immediately adjacent sidepath separated via jersey barriers)
  - Interstate 66 bridge across the Potomac River in Washington, D.C. (immediately adjacent sidewalks on each side separated by guard rail)
- The I-395 and I-66 bike/ped facilities have existed for more than two decades without any safety problems related to their immediate proximity to the roadway.*

MoDOT Policy: MoDOT's current policy states that "Dedicated Bicycle facilities will not be provided on interstate roadways." This policy is not in conflict with the proposals



*Missouri Bicycle Federation, Inc., page 12*

outlined above, which propose a barrier-separated path adjacent to or under the interstate roadway but not *on* the roadway.

MoDOT officials have mentioned a current draft policy which may prohibit the bicycle facilities from being placed adjacent to the interstate roadway. This is in any case a draft policy and no one knows the final form it will take. Furthermore MoDOT's policy on this issue has changed more than once in recent years and may change again in the future. If a future MoDOT policy recommends against bicycle/pedestrian facilities adjacent to an interstate roadway there is still the question of whether an exception to that policy should be granted for this bridge.

The decision to grant or deny such an exception would of course require careful consideration of the safety of such a facility, an analysis that is missing from the DEIS.

We believe that a barrier separated bicycle/pedestrian path should be considered adjacent to or underneath the I-29/I-35 bridge for these reasons:

1. The proven safety of such facilities in other locations in the U.S. and Missouri.
2. Relative scarcity and wide spacing of bridge crossings in the Metro area—each provides access to areas the others do not.
3. In a densely populated urban area every bridge should provide bicycle and pedestrian access. For instance, in Missoula, Montana, no less than three bicycle/pedestrian river crossings are provided within a distance of 1¼ miles. Frequent bicycle/pedestrian crossing points are typical in urban areas and Kansas City's current lack of safe bicycle/pedestrian river crossings is more and more a rarity within the United States.
4. MARC's River Crossings Policy requires careful consideration of bicycle and pedestrian access in all bridge projects, including this one.
5. The ability to provide a safe levee-trail to levee-trail connection for bicycle and pedestrian users is better in I-29/I-35 location and with a new bridge than in other locations with already-existing bridges.
6. It is far less expensive to provide the bicycle/pedestrian facility while the bridge is being constructed than to add it later.

**Environmental Consequences**

The EIS should fully explore the social, economic, and cultural impact of providing or failing to provide bicycle and pedestrian accommodations and access to and across the river and across other related obstacles. This impact should be weighed against the relatively low cost of providing bicycle and pedestrian accommodations.

Over 25% of Missourians have no driver's license, 8.3% of Missouri households have no access to an automobile, and neighborhoods and industrial areas in the urban areas near the project are known to rely heavily on walking and bicycling for transportation. Therefore the provision of safe bicycle and pedestrian accommodation over the river and through all interchanges affected by the project should be weighted heavily in evaluating the project's social factors, especially neighborhood and community cohesion. Failing to provide safe bicycle and pedestrian accommodation near a neighborhood and failing to connect the neighborhood to nearby traffic generators that should be accessible to bicycle and

*Missouri Bicycle Federation, Inc., page 13*

pedestrian traffic, such as industrial areas, commercial areas, and other neighborhoods, adversely affects the neighborhood and community cohesion. The DEIS does not account for this social and economic impact of providing or failing to provide for bicycle and pedestrian connectivity. Minority and low-income groups will receive a disproportionately high adverse impact if bicycle and pedestrian connectivity is not provided.

Just for example, the vast majority pedestrians who currently cross on Kansas City's Missouri River bridges, despite their unsafe condition for pedestrian use, are low income individuals. Because of the unsafe condition of these bridges and the lack of transportation options, these individuals bear a much higher safety risk than other bridge users who cross using automobiles. Those who have a choice cross by some other means and thus only those who have no other choice—who are by definition in a low-income group—cross on foot and bear this disproportionate adverse impact on their safety and well being.

Failing to provide bicycle and pedestrian accommodations or creating needlessly long detours to reach areas that should be easily accessible on bicycle or on foot creates clear economic costs to those who are denied access. Most often those who are denied access to employment or shopping opportunities are those who have limited transportation alternatives and rely on bicycling, walking, and transit as primary transportation. In its evaluation of the economic factors, the DEIS does not consider the cost of the loss or gain of this economic access and its affect on a vulnerable population segment. Again, minority and low-income groups receive a disproportionately high impact from the lack of accommodation and needlessly long detours.

These users are also very unlikely to participate in the public comment process or to make their needs known.

The Missouri River and bicycle and pedestrian access to and across the Missouri River is in itself a valuable cultural resource. The planned river trails will give Kansas Citians unprecedented access to the river and the riverfront area—access that has been denied for decades and which has culturally impoverished the metropolitan area. Safe and convenient access for bicyclists and pedestrians to cross the river is an important aspect in creating public access to this cultural resource. Failing to create bicycle and pedestrian access across the river will restrict access of citizens to the Missouri River—a valuable social, cultural, historical, and natural resource.

The impact of providing or failing to provide access to this extremely valuable resource should be weighed heavily in the decision to provide or not provide bicycle and pedestrian access on the bridges.

According to MARC's Household travel survey, bicyclists and pedestrian represent 4.3% of trips within the entire Kansas City metro area and 9% of trips within the urban core of Kansas City. Therefore a reasonable estimate is that with good cross-river connectivity, bicyclist and pedestrians would represent between 4% and 9% of cross-river trips. If the Paseo project provides good bicycle/pedestrian connectivity across the river then the positive air quality impact of replacing the potential 4% to 9% polluting trips with non-polluting bicycle/pedestrians trips should be considered.



*Missouri Bicycle Federation, Inc., page 14*

### **Funding**

In evaluating project cost the cost of bicycle and pedestrian accommodations are unfairly lumped the "medium" category with other options costing many times as much. According to MARC's 2003 Regional Household Travel Survey, over 9% of trips in Kansas City's urban areas are by walking or bicycling (page 37). According to the DEIS itself, providing bicycle and pedestrian accommodations on the Heart of America bridge will cost only \$500,000. By any estimate, the cost of adding bicycle and pedestrian accommodations is but a small proportion of the total project budget--less than 5%. The EIS fails to weigh the relatively small cost of providing the bicycle and pedestrian accommodations against the relatively high social and economic costs of failing to provide those accommodations.

The DEIS seems to contemplate paying for bicycle and pedestrian access using Transportation Enhancements or other funding mechanisms. However, federal guidelines are clear in requiring that bicycle and pedestrian accommodations provided as part of a highway project need to be paid for out of regular project funds. Enhancement funds are reserved for a different type of use:

TE funds may be used for any new pedestrian or bicycle facility unrelated to a larger highway project.

TE funds cannot be used in place of other Federal-aid highway funds for activities carried out as part of a larger highway project, such as normal mitigation required for NEPA compliance, normal landscaping, and replacing existing sidewalks because of a highway widening project.[1] TE funds may be used to replace existing sidewalks with enhanced surfaces or landscaping.

If a larger highway project includes new pedestrian or bicycle facilities, the facilities should be constructed with regular highway funds as part of the larger highway project.

*FHWA Questions/Comments for Discussion, TE Professionals Seminar June 25-26, 2003, Providence RI, [http://www.fhwa.dot.gov/environment/te/qa\\_state0603.htm](http://www.fhwa.dot.gov/environment/te/qa_state0603.htm)*

### **Bicycle and Pedestrian Accommodation Across I-29/I-35**

As the study notes, an interstate freeway creates a considerable barrier to bicycle and pedestrian movement because the freeway itself is difficult for bicyclists and pedestrians to cross. Crossing points are provided at widely spaced intervals. Freeway interchanges tend to be complex with high levels of traffic. All this means that bicyclists and pedestrians have difficulty negotiating these intersections safely. Many bicyclists and pedestrians are discouraged from even attempting to operate in such areas.

The reconstruction of several interchanges as part of this project should be taken as an opportunity to improve bicycle and pedestrian access and safety in each of these interchanges.

Nationally bicyclists and pedestrians represent 9.5% of trips. In the Kansas City metropolitan area, bicyclists and pedestrians represent only 4.3% of trips. To anyone who bicycles and walks extensively in the region, the reason for this is obvious: our roads and

*Missouri Bicycle Federation, Inc., page 15*

streets and not bicycle and pedestrian friendly. Intersections too often do not safely accommodate bicycle and pedestrian travel.

This project should be seen as an opportunity to improve bicycle and pedestrian safety and access in every one of these interchanges, not only one those that appear on some plan or other.

By law, bicyclists and pedestrians are allowed to operate on all streets and highways that cross the interstate. In the study area, freeway interchanges are provided only in areas with many traffic generators of interest to motorists, bicyclists, and pedestrians. For this reason there will be a great deal of bicycle and pedestrian traffic in these areas regardless of the provision of official facilities like sidewalks and bicycle lanes.

Well worn "cattle paths" testify to the frequency of pedestrian traffic alongside streets with no sidewalks.

Among needed improvements on cross-streets and interchanges are better crosswalks at intersections and other appropriate places, better pedestrian heads on traffic signals, and tuning of traffic signals to better allow for safe pedestrian crossing. Traffic signals should be tuned so as to reliably detect bicycles. Expansion joints, drain grates, and other construction details should be put in place to safely accommodate bicycle traffic on all roadways where they are allowed to operate (ie, all roadways except interstate travel lanes).

**Summary**

Right now the transportation experience for bicyclists, pedestrians, and transit users in the Kansas City area is far from world class. The Missouri River divides the metro area in half for these users, creating an impassable barrier. Bridging this barrier is the single most important project in creating a more interconnected transportation system for these users.

Polls show that citizens, even those who seldom walk and never bicycle, overwhelmingly support better bicycle and pedestrian access. Politicians support bicycle and pedestrian access because it improves community cohesion and neighborliness. Businesspeople support it because bicycle and pedestrian friendliness attracts higher quality employees, businesses, entrepreneurs, and tourists to the region. More walking and bicycling improves the health of Missourians and provides vital transportation options.

The amount of walking and bicycling in our area is less than half the national average and that means that Kansas Citians are enjoying less than half the health, social, environmental, and economic benefits that walkable and bicycleable communities bring.

The I-29/I-35 project provides a once in a lifetime opportunity to improve the transportation experience in the Kansas City area for bicyclists, pedestrians, and transit users. No single project will have more impact on their ability to safely travel in Kansas City.



*Missouri Bicycle Federation, Inc., page 16*

- Appendix -

## Proposed 4 state trail





May 22, 2006

Ms. Peggy Casey  
Environmental Projects Engineer  
Federal Highway Administration  
3220 W. Edgewood, Ste. H  
Jefferson City, Missouri 65109

Mr. Kevin Keith  
Chief Engineer  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, Missouri 65102

**RE: Interstate 29/35 Paseo Bridge Corridor  
Draft Environmental Impact Statement  
Comments**

Dear Ms. Casey and Mr. Keith:

Please accept this letter on behalf of the Port Authority of Kansas City, Missouri with our comments related to the Interstate 29/35 Paseo Bridge Corridor Draft Environmental Impact Statement ("DEIS") dated March 24, 2006. The Port Authority has a long-term lease with the City of Kansas City for land on both sides of the Corridor at the Front Street/I-29/35 interchange and while we are happy to see the new Missouri River crossing moving forward, we have some very serious concerns about how the project is to be implemented and the selection of a preferred alternative for the Front Street/I-29/35 interchange which as currently presented in the DEIS would have a catastrophic impact on the City of Kansas City's and the Port Authority's vision for a world-class riverfront.

The Port Authority sub-leases approximately twenty-five (25) acres to the Isle of Capri Casino on the east side of the interchange. The Isle of Capri Casino is an investment of more than \$115 million that provides employment for more than 700 people and attracts almost 4.5 million people each year. Total adjusted gross revenues is usually \$100 million annually, which results in approximately \$22 million in gaming taxes and fees to the State of Missouri and about \$6 million to the City of Kansas City.

On the west side of the Corridor the Port Authority has invested close to \$40 million to provide access and amenities at the riverfront for the first time in over 100 years. Currently the Port Authority is in negotiations with Forest City Land Group, a \$7.9 billion real estate development company headquartered



10 Petticoat Lane, Suite 250 • Kansas City, MO 64106-2103  
PHONE: 816.221.0636 • (TOLL FREE): 800.889.0636 • FAX: 816.221.0189 • [www.kcportauthority.com](http://www.kcportauthority.com)

in Cleveland that is developing the largest urban mixed-use infill project in Denver at the site of the former Stapleton Airport; the largest historic preservation project with the Tobacco Row warehouse district in Richmond, Virginia; the *New York Times* headquarters in Times Square, New York; and Central Station, a new residential community in Chicago just south of Grant Park. For almost twenty years the City and Port Authority have attempted to redevelop the riverfront, the last remaining riverfront in a major North American city that has not been revitalized. The vision calls for a mixed-use "urban village," consisting of at least 1,200 residential units, about 90,000 square feet of retail and restaurant space, a hotel, and about 250,000 square feet of office space. The project is expected to attract \$300-\$400 million of investment, and serve as a new gateway to downtown. It is projected that the riverfront urban village alone will generate benefits to the State of Missouri of almost \$2 billion over the next 25 years. Construction of the urban village is expected to commence in late 2007 or early 2008, and full build-out of the site will likely take 10-15 years.

One of the biggest challenges to developing the riverfront site is providing access to the site. A previous plan developed by the Port Authority in 1990 called for almost three million square feet of office space at the site. As one might imagine, access per the existing Front Street interchange was problematic. In order to develop more than one million square feet of office space (with some residential and retail space as well) the capacity of the interchange would need to be increased. While the current plan calls for the development of a mixed-use urban village that is predominantly residential in nature, the Port Authority and City must have the flexibility to respond to the market and any development opportunities that may arise, including the possibility of a large office campus on the riverfront.

A key component of the financing of the public improvements needed to induce private investment is provided by the casino lease revenues the Port Authority receives from the Isle of Capri Casino. In 1996 the Port Authority issued bonds of more than \$21 million secured by those lease revenues received over a ten year period, and was able to construct Berkley Riverfront Park, Riverfront Drive, Grand Boulevard Viaduct, and the Riverfront Heritage Trail that connects Berkley Riverfront Park and the riverfront to the River Market. As an important revenue generator for the Port Authority, how the Isle of Capri Casino fares has a direct and measurable impact on the ability of the Port Authority to implement the long-awaited vision of the riverfront. The DEIS presents several scenarios with respect to construction and design that are of serious concern to the Port Authority that could impose unnecessary and devastating obstacles to develop the riverfront with respect to traffic capacity and revenue. The following are our concerns:

**An effective public engagement plan accepted by stakeholders must be a part of the Final EIS.**

**14A** We support the Department of Transportation's use of the design-build process. However, we have a concern that unless the Department utilizes an effective public engagement process and respects policies that have been developed by the community, such as the MARC River Crossing Task Force, the results of the design-build process may not satisfy the community's desires for a "signature" bridge that incorporates public transit and pedestrian/bicycle connections. If MoDOT sincerely wants to use the design-build method, we believe a public engagement plan should have been developed and incorporated into the DEIS. A Final DEIS should not be adopted until such a plan has been developed and accepted as satisfactory by the project's stakeholders.

**Traffic must be maintained during construction.**

**14B** The Port Authority prefers Option B regarding the Missouri River Bridge for the purpose of accommodating an interchange that will allow for the development of the riverfront per the Port Authority's and City's vision. The Port Authority strongly objects to not maintaining traffic during



construction. Access to the Isle of Capri Casino from the north is crucial for its on-going business. During the recent shut-down of the Paseo Bridge when repairs were made, the Isle of Capri experienced a decline in its monthly revenues up to 15% from a year earlier, and had the bridge been shut down much longer, the casino was bracing for a decline approaching 30%. The loss of revenue during the shut-down certainly hurt the casino financially during construction, but the casino also experienced declines after the construction was complete, as many customers decided to patronize other casinos during the bridge shut-down, and the casino incurred costs to woo many of them back.

The shut-down of the Paseo Bridge for any extended period of time not only impacts the Isle of Capri Casino financially, but consequently, as mentioned above, the Port Authority's ability to carry out redevelopment of the riverfront is also severely impacted. Should MoDOT choose not to maintain traffic during construction of the Paseo Bridge alternative, the revitalization of the riverfront could be placed in jeopardy.

**MoDOT should not list a Reasonable Alternative for the Front Street Interchange.**

The No-Build and Existing Configuration Modified alternatives are unacceptable to the Port Authority, and we are at a loss as to why the DEIS states the Existing Configuration Modified as the Reasonable Alternative of all the options considered. Of all of the alternatives analyzed, the No-Build and Existing Configuration Modified are the only two alternatives that have negative impacts on those criteria meeting Purpose and Need. Alternatives 5A-5D (Tight Diamond or Roundabout), the Alternative favored by the Port Authority, was judged to substantially address the needs of more of the criteria impacting Purpose and Need and Other Impacts more than any other alternative, and was the only Alternative judged to not have a negative impact on any of the criteria.

14C

Alternative 5A-5D scored equally or higher than the stated Reasonable Alternative on each criteria, with the exception of cost. However, should the stated Reasonable Alternative be constructed, it will eliminate the ability of the Port Authority to develop approximately 20% of the land it controls between the Paseo and Heart of America Bridges, and will consequently substantially reduce the positive economic benefit of the urban village to the State and City. Not only would the reduction of land acreage negatively impact the urban village development, but the reduced capacity of the stated Reasonable Alternative would also limit the amount of development that could take place on the remainder of the property. The positive incremental economic benefit to the State far outweighs the difference in cost between the Reasonable Alternative and Alternatives 5A-5D (specifically the single-point urban interchange), a fact that should be considered in the analysis of the interchange options.

As the DEIS states, the tight diamond and single-point urban interchange (SPUI) were shown to be feasible and addressed traffic safety, operations and capacity, as well as improved truck connections. The SPUI was used to estimate construction limits as part of the build alternatives, and for that we are grateful. However, the DEIS does not give any reason as to why the Existing Configuration Modified Alternative was stated as a Reasonable Alternative, and we believe that without a reasonable argument to support such a conclusion, no reasonable alternative should be presented. We are also opposed to an interchange connection with the existing Riverfront Drive located immediately south of Berkley Riverfront Park, as such a placement will create an amount of traffic on Riverfront Drive that will serve as a barrier between the park and the urban village development. We would like to see addressed in the final EIS the plan of the Port Authority and Forest City to connect the interchange with Grand Boulevard at the southern edge of the urban village, as illustrated in the attached master plan. Other planned local road improvements have been included in the DEIS, such as the Kansas City Parks and Recreation Department's plans for The Paseo.



**14D** **Transit must be included in the preferred alternative.**  
 The DEIS states that the preferred alternative can accommodate traffic at an acceptable level of service until the year 2043. It would seem foolish to maximize the physical footprint allowed for transportation today and leave future generations without the flexibility to address increased congestion and traffic needs in the Corridor. Addressing public transit now will allow for MoDOT to adequately react to increased levels of demand in the future.

**14E** **Bicycle and pedestrian access must be provided in the Corridor.**  
 Bicycle and pedestrian access has not only been provided, and separated from vehicular traffic, on other signature and non-signature bridges in Missouri and across the country for recreational purposes. Such access provides a transportation alternative for people who may now or in the future not have the ability to maintain and operate an individual vehicle due to extraordinary operating costs. Commuting options would be enhanced and demand on the transportation system diminished if pedestrian and bicycle accommodations were a part of the Corridor, even if those improvements are phased in over time. And such an accommodation would not only provide commuting options and greater access to recreational activities in the river corridor, but could also provide for easy egress out of the urban core in the event of an emergency.

**14F** **The preferred alternative has not adequately analyzed impacts to the connections between the CBD and the River Market and Columbus Park.**  
 In particular the impact of limiting access to the perimeter of Columbus Park, combined with the redevelopment that is taking place now and what is planned in the future, will direct more traffic through the neighborhood. The urban core neighborhoods should not be viewed as an area that one simply drives through, but an area that is a destination. Thus the emphasis, for example, by the Port Authority to direct traffic to the southern edge of the development site next to an already existing barrier, the railroad tracks, so as not to create a barrier between the park and the urban village development. While traffic flow may or may not be improved on the north leg of the loop, pedestrian movement through this area remains inadequate, and in some areas worse than what currently exists. Since there is no funding to implement the stated preferred alternative, MoDOT should remove the southern leg of the Corridor from the Final EIS and pursue additional studies that address not only traffic flow through the area, but the improvement of vehicular and pedestrian connections between the urban neighborhoods in this area.

**14G** **Local hiring needs to be part of the effort to mitigate negative impacts on minority populations.**  
 The Preferred Alternative will have a negative impact on minority populations in the Corridor. Just as the City and the Port Authority set high goals for each of its development projects and public improvements, the Port Authority strongly encourages MoDOT to work with leaders and stakeholders in the minority communities to set and achieve high goals for the hiring of local, minority, women, and disadvantaged businesses to implement the Corridor projects.

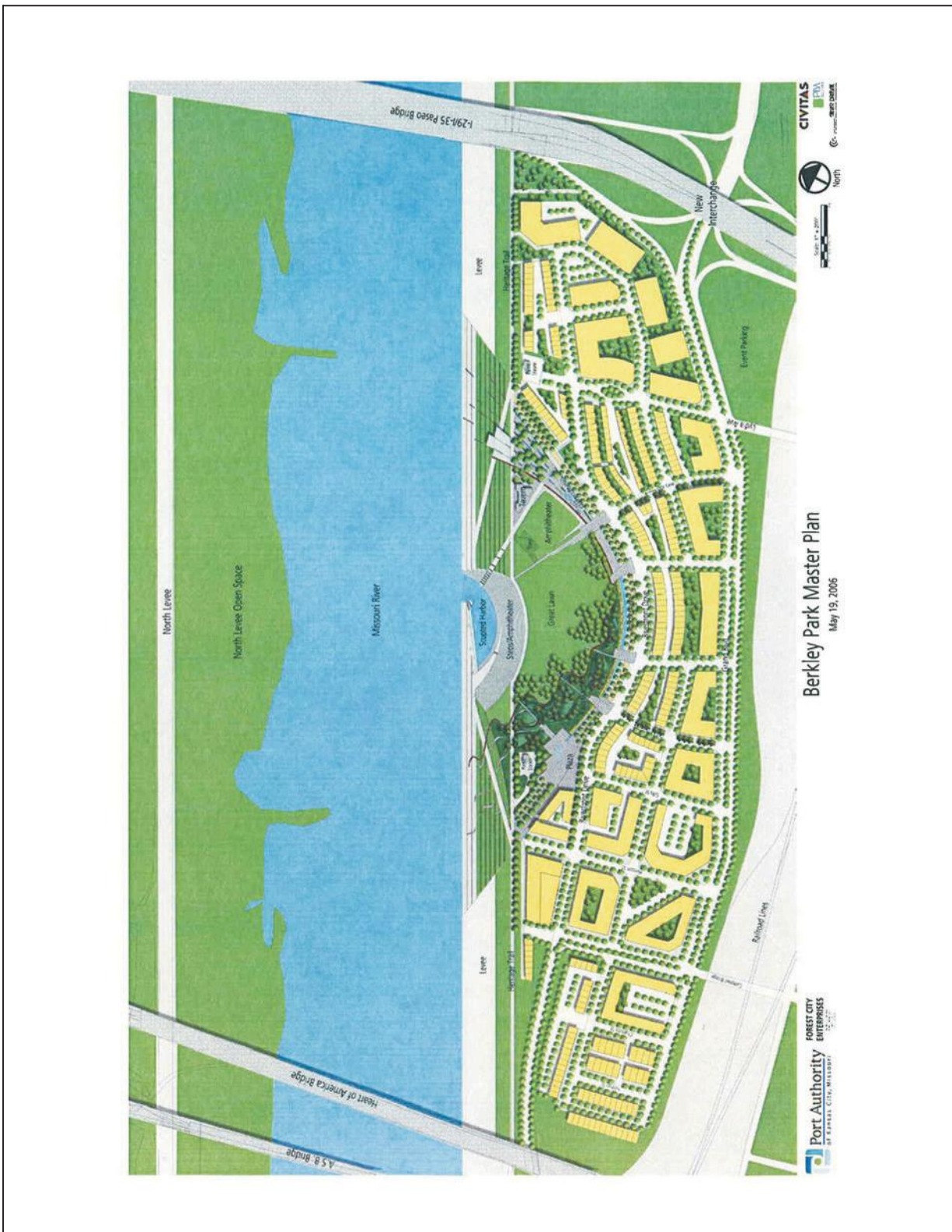
We appreciate the opportunity to comment and share with you our concerns regarding the DEIS, and we look forward to working with you and continuing our good relationship to create a multi-modal transportation system and a riverfront that all Kansas Citians and Missourians can be proud of. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick Sterrett".

Patrick Sterrett, Executive Director

Cc: Port Authority Board



Letter No. 14 Port Authority of Kansas City, Missouri  
(page 6 of 6)



May 22, 2006



I-29/I-35 Draft EIS and Location Study  
c/o HNTB  
715 Kirk Drive  
Kansas City, MO 64105

Dear Sir or Madam:



This letter and the attached documents are hereby submitted in response to the request for comments on the Draft Environmental Impact Study (DEIS) for the I-29/I-35 Corridor. These documents represent a collaborative effort among the Regional Transit Alliance (RTA), Downtown Council of Kansas City (DTC), American Institute of Architects – Kansas City (AIA-KC) and Kansas City Design Center (KCDC).

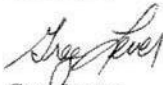


At our request, Glatting Jackson Kercher Anglin Lopez Reinhart, Inc. of Orlando, Florida has undertaken a technical analysis of the DEIS to ensure its compliance with the National Environmental Policy Act (NEPA) and other relevant statutory requirements. Glatting Jackson's report has identified several critical flaws in the Draft EIS that must be addressed in the Final Environmental Impact Statement. A copy of the Glatting Jackson report is hereby submitted as part of our comments.

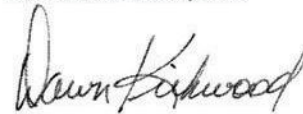


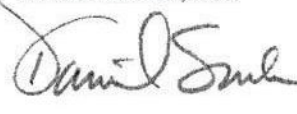
These comments represent our shared concerns about the DEIS. We would like to thank MoDOT and FHWA for this opportunity to provide comments on behalf of our constituents.

Thank you,

  
Greg Lever  
Executive Director, RTA

  
William Dietrich  
President & CEO, DTC

  
Dawn Kirkwood  
Executive Director, AIA-KC

  
Daniel Serda, Ph.D.  
Executive Director/CEO, KCDC

cc: Distribution

Attachment and enclosures (2)



**Distribution:**

Governor Matt Blunt  
 U.S. Senator Jim Talent  
 U.S. Senator Christopher "Kit" Bond  
 U.S. Congressman Emanuel Cleaver II  
 U.S. Congressman Sam Graves  
 Mayor Kay Barnes, City of KCMO  
 Mayor Gene Bruns, City of North KCMO  
 Members of the City Council, City of KCMO  
 Allen Masuda, FHWA  
 Andrew L. Boeddeker, U.S. Dept. of Housing and Urban Development  
 Beth Wright, District Engineer, MoDOT  
 Brent Hugh, Missouri Bike Federation  
 Carol Legard, Advisory Council on Historic Preservation  
 Charles M. Scott, U.S. Dept. of the Interior, Fish and Wildlife Service  
 Chris Carucci, Downtown Council  
 Darby Trotter, River Front Heritage Trail  
 David Warm, Mid America Regional Council  
 Dick Jarrold, KCATA  
 Donovan D. Mouton, Office of the Mayor, KCMO  
 Ernest Quintana, U.S. Dept. of the Interior, National Park Service  
 Fred Skaer, FHWA  
 James B. Gulliford, U.S. Environmental Protection Agency  
 Jonathan Kemper, Commerce Bank  
 John Yacos, JE Dunn  
 Kite Singleton, E. Crichton Singleton  
 Lee Ann Kell, MoDOT  
 Mark Huffer, KCATA  
 Mark McDowell, Chairman, RTA  
 Mell Henderson, Mid America Regional Council  
 Mike Burke, King Hershey  
 Mike Sturgeon, Columbus Park Neighborhood  
 Missouri Department of Natural Resources, State Historic Preservation Office  
 Pat Sterrett, Port Authority  
 Pete Rahn, MoDOT  
 Reeves Wiedeman, Helix  
 Robert Smith, Department of the Army  
 Stan Harris, City of KCMO  
 Steve Taylor, Chairman, DTC  
 Tim Kristl, Northland Chamber of Commerce  
 Tom Coyle, City of KCMO  
 Warren Erdman, Kansas City Southern  
 Wayne Cauthen, City Manager, City of KCMO

**Regional Transit Alliance, Downtown Council,  
American Institute of Architects – Kansas City, and Kansas City Design Center**

**Joint Statement in Response to the Draft Environmental Impact Statement  
for the Interstate 29/35 Paseo Bridge Corridor**

May 22, 2006

**Introduction**

This statement and accompanying attachments are being submitted to MoDOT and FHWA in response to the request for comments on the Draft Environmental Impact Study for the I-29/I-35 Corridor. These comments represent a collaborative effort among the Regional Transit Alliance (RTA), Downtown Council of Kansas City (DTC), American Institute of Architects – Kansas City (AIA-KC) and Kansas City Design Center (KCDC).

At our request, Glatting Jackson Kercher Anglin Lopez Reinhart, Inc. of Orlando, Florida has prepared a technical analysis of the Draft EIS to ensure its compliance with the National Environmental Policy Act (NEPA) and other relevant statutory requirements. Glatting Jackson's report has identified several critical flaws in the Draft EIS that must be addressed in the Final Environmental Impact Statement. We want to call particular attention to problems identified with the Statement of Purpose and Need, which uses part of the proposed solution ("capacity improvements") as justification for the Build Concepts explored in the Preferred Alternatives.<sup>1</sup>

A copy of the Glatting Jackson report is hereby submitted as part of our comments.

**Summary**

The following statements represent our shared concerns about the Draft EIS. Each of the following issues must be addressed and incorporated in the Final EIS:

1. **MoDOT's design-build approach fails to properly evaluate the impacts of the Preferred Alternatives. MoDOT must thoroughly evaluate the likely impacts associated with its Preferred Alternatives, and propose appropriate mitigation for adverse impacts.**
2. **MoDOT's Preferred Alternatives for the "CBD North Loop Subcorridor (Dora Street to Broadway Boulevard)" have not received adequate consideration in the Draft EIS process. Absent further study, this Subcorridor should be excluded from the Final EIS.**
3. **MoDOT needs to integrate Transportation Systems Management (TSM) strategies and Travel Demand Management (TDM) strategies into the Preferred Alternatives.**

<sup>1</sup> This finding was foreshadowed in comments provided to MoDOT by the Environmental Protection Agency. Letter from Stephen Smith, NEPA Reviewer, U.S. Environmental Protection Agency, to Peggy Casey, Federal Highway Administration, 21 February 2006. Draft EIS, Appendix G, "Agency Coordination".

Regional Transit Alliance, Downtown Council, American Institute of Architects – Kansas City,  
and Kansas City Design Center

Joint Statement in Response to the Draft Environmental Impact Statement  
for the Interstate 29/35 Paseo Bridge Corridor

Page 2 of 7

4. **MoDOT's Preferred Alternatives need to be better integrated with the local street network to strengthen connectivity between Downtown, the Northland and the metropolitan area.**
5. **MoDOT must incorporate transit into the Preferred Alternatives.**
6. **MoDOT must provide adequate accommodations for bicycle and pedestrian access in the study corridor as part of the Preferred Alternatives.**

**Statement of Key Concerns**

15A

1. **MoDOT's design-build approach fails to properly evaluate the impacts of the Preferred Alternatives. MoDOT must thoroughly evaluate the likely impacts associated with its Preferred Alternatives, and propose appropriate mitigation for adverse impacts.**

MoDOT and FHWA have deferred critical decisions, including the precise alignment of the bridge, its vehicular capacity, the configuration and number of traffic lanes, construction methods, design type and characteristics, and even the geographic scope of the proposed improvements, to a design-build procurement process. Because MoDOT does not anticipate resolving these issues until a contractor has been selected, it will be impossible to adequately evaluate the environmental, social, and economic impacts of these decisions.

The Draft EIS purports to be evaluating a "worst case" scenario. However, even this scenario defines only a broad physical footprint of the bridge without specifying any of its design features. As described in the Glatting Jackson report, this approach fails to satisfy the spirit and letter of NEPA requirements for an environmental impact statement. MoDOT must specify its minimum programmatic requirements to establish a level of certainty about the nature and scope of the project.

MoDOT should therefore reconsider its approach to design-build on this project. At minimum, the Final EIS must provide adequate detail about the project scope to enable a thorough evaluation of the likely impacts associated with the Preferred Alternatives. MoDOT and FHWA must also provide appropriate mitigation for adverse impacts.



Regional Transit Alliance, Downtown Council, American Institute of Architects – Kansas City,  
and Kansas City Design Center

Joint Statement in Response to the Draft Environmental Impact Statement  
for the Interstate 29/35 Paseo Bridge Corridor

Page 3 of 7

15B

2. **MoDOT's Preferred Alternatives for the "CBD North Loop Subcorridor (Dora Street to Broadway Boulevard)" have not received adequate consideration in the Draft EIS process. Absent further study, this Subcorridor should be excluded from the Final EIS.**

The CBD North Loop Subcorridor includes the Interstates 35/70 interchanges at the Heart of America Bridge, the Broadway Bridge, and the US 24/I-70 interchange at the northeast corner of the Downtown Loop. The proposed build alternatives specified in the Draft EIS for this Subcorridor are highly speculative and have not received adequate technical or public scrutiny.

Furthermore, as discussed in more detail in the Glatting Jackson report, MoDOT and FHWA have failed to undertake a thorough evaluation of the traffic, safety and congestion impacts on the Downtown Loop associated with the increased volume of traffic created by the road widening measures recommended in the Preferred Alternatives. MoDOT and the City of Kansas City, Missouri have developed a computerized traffic model of primary and secondary traffic impacts of the proposed road widening project on the Downtown Loop. As described in the Glatting Jackson report, the Draft EIS has failed to adequately evaluate or provide mitigation for the displacement of traffic congestion into the Loop and local street network. MoDOT and FHWA must properly evaluate these impacts and propose acceptable mitigation measures.

Finally, by MoDOT's own admission, there is not sufficient funding in place for the contemplated changes to the North Loop Subcorridor to be implemented in the near future. We welcome further exploration of these issues; however, absent adequate consideration of the appropriate build alternatives for this Subcorridor, it should be excluded from the Final EIS.

15C

3. **MoDOT's Preferred Alternatives need to be better integrated with the local street network to strengthen connectivity between Downtown, the Northland and the metropolitan area.**

MoDOT is proposing a "segmented" strategy for capacity improvements that focuses only on the capacity of the river crossing itself. A more appropriate strategy to meeting the Purpose and Need would include an evaluation of the origins and destinations of different types of vehicles traveling in the corridor and redirect thru traffic away from the over burdened Downtown Loop.

According to the Northland/Downtown MIS, thru traffic constitutes a significant proportion (approximately 30-40%) of all traffic in the study corridors. The Draft EIS does not address potential adverse consequences of transferring congestion from one area to another. Adding capacity to the study corridors will likely spur added traffic volumes, resulting in unmanageable levels of congestion on and near the Downtown Loop.



Regional Transit Alliance, Downtown Council, American Institute of Architects – Kansas City,  
and Kansas City Design Center

Joint Statement in Response to the Draft Environmental Impact Statement  
for the Interstate 29/35 Paseo Bridge Corridor

Page 4 of 7

MoDOT provides inadequate attention to other means for mitigating congestion. For example, the Missouri Route 9 (Heart of America Bridge) corridor should be recognized as underutilized due to system design/access issues. MoDOT also fails to consider appropriate measures to alleviate motor vehicle congestion in its preferred alternative. Specifically, HOV lanes should be implemented as part of the Preferred Alternative.

15D

**4. MoDOT's Preferred Alternatives need to be better integrated with the local street network to strengthen connectivity between Downtown, the Northland and the metropolitan area.**

MoDOT misapprehends context sensitive design as superficial beautification of poorly conceived highway enhancements. A truly context sensitive solution would facilitate movement between local destinations without disrupting the local pattern of land uses and activities that create urban vitality.

Great cities are actually characterized by density and congestion, which create a sense of place and facilitate walkability, transit access, and daily interactions between diverse groups of people. This is the antithesis of the approach MoDOT has adopted, which places a premium on mobility and speed, especially of automobiles.

Rather than simply focusing on moving large volumes of automobiles through and away from the Central Business District at high speeds, MoDOT's Preferred Alternative should enhance connectivity between Downtown and adjacent neighborhoods, as well as better connect the northern and southern portions of Kansas City across the Missouri River.

Specifically, MoDOT should evaluate alternatives that overcome the severe design limitations of the original Downtown freeway "Loop". Past design errors should not be the basis for a new plan to improve local transportation conditions in the Kansas City region. This project represents a rare opportunity to actually overcome the traffic congestion and safety hazards, adverse environmental and economic impacts, and cumulative community impacts associated with the existing configuration of the Downtown Loop. MoDOT and FHWA need to weigh this opportunity seriously in contemplating the Preferred Alternatives for this corridor.

15E

**5. MoDOT must incorporate transit into the Preferred Alternatives.**

MoDOT's approach focuses on moving vehicles, not people and goods. A more comprehensive strategy would recognize that other modes of travel – including a regional public transit system – can better accommodate future growth and development without the adverse environmental, economic and social consequences associated with highway widening.

Regional Transit Alliance, Downtown Council, American Institute of Architects – Kansas City,  
and Kansas City Design Center

Joint Statement in Response to the Draft Environmental Impact Statement  
for the Interstate 29/35 Paseo Bridge Corridor

Page 5 of 7

As described in the Glatting Jackson report, MoDOT and FHWA have taken the absurd position that because transit, bicycle and pedestrian facilities cannot accommodate eight lanes of vehicular and truck traffic, they fail to meet the Purpose and Need, and are therefore categorically excluded from consideration as part of the Preferred Alternatives, or as appropriate mitigation for any adverse impacts associated with the intended road widening project.

MoDOT needs to acknowledge that they are not simply the highway department. Transit-related improvements are a valid and necessary expenditure of scarce public resources and are necessary to avoid potentially adverse consequences of increasing levels of auto-dependant travel, particularly on a project with a purported 100-year life span.

15F

**6. MoDOT must provide adequate accommodations for bicycle and pedestrian access in the study corridor as part of the Preferred Alternatives.**

During public hearings, a variety of community members and constituencies, including elected officials, have asked MoDOT and FHWA to incorporate bicycle and pedestrian access into the Preferred Alternatives. MoDOT's responses to these concerns have been noncommittal and evasive, as exhibited in responses from MoDOT staff to community constituents, which promise only that the Draft EIS "will discuss the desire for a protected bicycle and pedestrian Missouri River crossing" and that the Draft EIS "will include a discussion of that need" (i.e., "provision of a safe river crossing for pedestrians and bicyclists").<sup>2</sup> The Draft EIS states that "[p]lans for suitable pedestrian and bicycle access upon streets crossing I-29/35 and I-35/70 will be considered during the design of the interchanges and bridges where warranted by land use".<sup>3</sup>

The language and tone of the Draft EIS regards bicycle and pedestrian accommodations as fundamentally incompatible with interstate travel, and as a luxury that should be supported only by private resources. These statements echo sentiments voiced by MoDOT staff during the public involvement process regarding the creation of a separate bicycle and pedestrian facility on the Heart of America (HOA) Bridge. The question of the most appropriate location for an integrated or separate facility for bicycles and pedestrians should not serve as a criterion for including or excluding bicycle and pedestrian access from the Preferred Alternatives.

<sup>2</sup> Letters from Pete Rahn, MoDOT Director, to the Clay County Commission, December 14, 2005; and Lee Ann Kell to Christi Lynne, President, Greater Kansas City Bike Federation, July 21, 2005. Draft EIS, Appendix H (emphasis added).

<sup>3</sup> Draft EIS, "Summary," p. S-20 (emphasis added).

Regional Transit Alliance, Downtown Council, American Institute of Architects – Kansas City,  
and Kansas City Design Center

Joint Statement in Response to the Draft Environmental Impact Statement  
for the Interstate 29/35 Paseo Bridge Corridor

Page 6 of 7

The Draft EIS also states that “MoDOT will support the future creation of a bicycle and pedestrian connection across the Missouri River on the Heart of America Bridge.... *This project may be funded by local or regional transportation sources.*”<sup>4</sup> Other states are actively integrating bicycle and pedestrian facilities into similar projects using federal enhancement funding for implementation.

The vision of a waterfront park extending from Parkville to Berkeley Riverfront Park – including the Kansas River – is not unrealistic; other communities have used such visions of closer integration with their riverfronts to chart their own renaissance. Pedestrian and bicycle access to and across the Missouri River can also serve as key linkages between our existing and future parkway systems, and between existing and rapidly growing segments of our metropolitan community.

Accommodating bicycle and pedestrian travel is also a cost effective and sustainable means for enhancing commuting alternatives, reducing demand for vehicular travel, supporting walkability and mitigating against adverse environmental and aesthetic impacts that threaten the quality of the built environment and street-level experience that defines a community’s sense of place.

MoDOT and FHWA must therefore incorporate bicycle and pedestrian access to and across the Missouri River into the Preferred Alternatives. MoDOT and FHWA must also make good faith efforts to ensure that appropriate bicycle and pedestrian facilities are an integral component in the programmatic requirements developed to guide the design-build procurement process.

### **Conclusion**

In conclusion, we would like to commend MoDOT for its willingness and participation in innovative methods to improve the I-29/I-35 corridor. We believe that it is important to let vision as well as mission guide the scope and design of this project. This project must be recognized as a unique opportunity for this generation to strengthen integral links between the established urban fabric of our city and rapidly growing areas north of the Missouri River.

This project, if appropriately executed, will knit the community together, not just be a route through it. MoDOT needs to recognize that the population center of KCMO is shifting northward at the same time the city is expanding. There also has been a phenomenal resurgence of interest in Downtown Kansas City’s role as a major civic and commercial center, as well as a preferred residential location and setting for recreational and entertainment opportunities. These trends must be reflected in the long-range plans for the Paseo Bridge Corridor.

---

<sup>4</sup> Draft EIS, “Summary,” p. S-20 (emphasis added).



Regional Transit Alliance, Downtown Council, American Institute of Architects – Kansas City,  
and Kansas City Design Center

Joint Statement in Response to the Draft Environmental Impact Statement  
for the Interstate 29/35 Paseo Bridge Corridor

Page 7 of 7

MoDOT must take this opportunity to ensure that its own goals and objectives are aligned with the concerns being expressed by the community. We are especially concerned about the role of the Community Advisory Group in helping to define the final scope of activities contemplated in the Draft EIS. The Draft EIS contains several assurances that the Community Advisory Group will be utilized to help MoDOT alleviate any potential adverse environmental impacts and ensure thorough consideration of community concerns during the design-build procurement process.

In order to serve in this role, the Community Advisory Group must be provided with adequate access to information and opportunities to offer substantive input in order to ensure that its recommendations and community concerns are reflected in the final scope of the project. The Community Advisory Group should be involved in refining this Draft EIS into a Final Environmental Impact Statement, helping to develop the Request for Qualifications and Request for Proposals that guide selection of a design-build contractor, and helping to guide project oversight and coordination to ensure that the project – as actually constructed – becomes a distinctive example of what is possible through meaningful public participation. The result will be a project that is truly an icon for future generations.





# GLATTING JACKSON KERCHER ANGLIN LOPEZ RINEHART

Jack F. Glatting, Founder

William J. Anglin, Jr.  
David L. Barth  
Gregory A. Bryla  
Frances E. Chandler-Marino  
Charles P. Cobble  
Jay H. Exum  
Casey S. Hayo  
Jay R. Hood  
Timothy T. Jackson  
William C. Kercher, Jr.  
Walter M. Kulash  
Brent A. Lacy  
Sharon K. Lamanita  
Ian M. Lockwood  
Thomas J. McMacken, Jr.  
John H. Percy  
Troy P. Russ  
Peter C. Sechler  
Donald G. Wishart

May 19, 2006

Daniel Serda, PhD  
Executive Director  
Kansas City Design Center  
911 Main Street, Suite 110  
Kansas City, MO 64105

RE: Review of Interstate 29/35 Paseo Bridge Corridor Draft Environmental Impact Statement  
GJ#19772.01

Dear Dr. Serda:

I appreciate the opportunity to review and provide comments on the Draft Environmental Impact Statement (DEIS) for the Interstate 29/35 Paseo Bridge Corridor prepared by the Federal Highway Administration and the Missouri Department of Transportation and approved for public circulation on March 24, 2006. Ian Lockwood in our office is also reviewing the document and is providing comments in a separate submittal to you. My comments focus on my areas of expertise, primarily socio-economic, land use, natural resources, and parkland/historic resources, which are subject to Section 4(f) of the US DOT Act, as well as the overall National Environmental Policy Act (NEPA) process. I have limited my comments to major issues, given that Ian's comments were in depth.

15G

Geoffrey L. Allen  
Charles M. Atkins  
Dan E. Burden  
Karen T. Campbell  
Nate L. Clair  
David R. Claus  
Todd D. Clements  
Michael R. Cochran  
A. Blake Drury  
Douglas V. Gaines  
John T. Griffin III  
Michael D. Green  
Bruce C. Hall  
David M. Hoppes  
Patricia Sepulveda-Hurd  
Gail D. Lacey  
Laurence V. Lewis  
Jane Lim-Yap  
William D. Lites  
Kok Wan Mah  
Jeffrey F. Manuel  
Edward J. McKinney  
Randall S. Mejeur  
Douglas A. Metzger  
Balraj N. Mohabber  
John J. Moore III  
Paul J. Moore  
Jonathan M. Mugmon  
Karen D. Nelson  
Kathleen S. O'Sullivan  
Kelley Samuels Peterman  
Andrea D. Petersen  
Heather J. Phiel  
Mary Taylor Raulerson  
Nancy M. Roberts  
Tara L. Salmieri  
Craig A. Shadrux  
Andrew B. Sheppard  
Mike P. Sobczak  
Jeff M. Sugar  
Paul A. Taylor  
Ronald L. Urbanik  
Gary E. Warner  
Joseph J. Webb  
John Paul Woerner

1. This project should not be implemented as a Design-Build project.

The decision to use a Design-Build process for a project of this type is highly questionable. The key community issues of type and character of the proposed new bridge or bridges have simply been deferred to a later date and future process that has not been clearly defined. It is unclear how the public can provide input to these major decisions prior to the commitment of federal funds or the destruction of the existing Paseo Bridge. I do not believe that this document meets the requirement of NEPA to provide a clear and concise statement of the environmental impacts of the proposed action.

15H

2. The DEIS is not written in a way that is understandable to the general public.

The language used throughout this DEIS is unnecessarily technical and difficult to understand. To meet the intent of NEPA, this document should be readable and understandable by the general public. An example of this technobabble is found on page S-1: "The NEPA Section 404 merged process has not been initiated because preliminary coordination with the U.S. Army Corps of Engineers (USACE) indicates the project will likely be permitted under a Nationwide Permit." Likewise, the graphics in the document are insufficient for the reader to fully understand the range and magnitude of impacts of the project.

15I

3. The language in the DEIS is biased and appears to be predetermined without adequate input from the public or resource agencies.

The language used to describe the alternatives, or "Initial Improvement Concepts", is very biased. The term "build concepts" was used only for specific types of highway widening alternatives although many of the other alternatives (parallel alternatives concept, high capacity transit concept, bicycle and pedestrian concept) would also be considered "build concepts".

Community  
Planning & Design

33 East Pine Street  
Orlando, Florida 32801  
P: 407 843 6552  
F: 407 839 1789  
www.glatting.com

Atlanta • Orlando  
West Palm Beach



It appears that the decision to fund and construct this project has been predetermined, regardless of the impacts to and thoughts of the communities that will be negatively impacted by this project. The selection of the "preferred alternative" prior to formally receiving public comments is one indication of this intent and attitude.

**15J**

4. The Purpose and Need of the project does not consider community vision or objectives.

The Purpose and Need focuses entirely on traffic operations and speed and does not even consider community objectives. With a public investment of \$271 Million to \$342 Million, shouldn't community goals and objectives be a prime consideration? How does this project support the goals and objectives of Kansas City's master plan, Forging Our Comprehensive Urban Strategy (FOCUS)?

**15K**

5. All reasonable alternatives were not evaluated in the DEIS.

Alternatives were dismissed with little information or regard for community impacts and almost entirely on engineering factors. Without proper technical analyses or consideration of social, economic and environmental issues, every alternative that did not provide for at least 8 travel lanes were deemed not to be "reasonable". In this case, "reasonable" was not clearly defined, and no measurable thresholds for whether an alternative met the purpose and need were established.

**15L**

6. The Section 4(f) Evaluation is inaccurate.

The Programmatic Section 4(f) Evaluation (Appendix E) inaccurately reflects the alternatives considered. It states that the "Rehabilitation of the existing bridge without affecting the historic integrity of the bridge has been studied and has been determined to be not feasible and prudent for reasons of structural deficiency and/or geometrics." This is not a true statement and contradicts other statements in the DEIS that declare that some rehabilitation has already been completed and future rehabilitation will extend the life of the bridge for 50 years.

**15M**

7. This project disproportionately impacts low income and minority populations.

Low-income and minority populations are disproportionately impacted by this project, and adequate mitigation has not been included. Some of the neighborhoods that would experience noise and visual impacts of the project have 63% of the housing units where no vehicle is available. What transportation facilities will be provided for these neighborhoods?

Thank you again for the opportunity to provide these comments to you.

Sincerely,

Mary Taylor Raulerson  
Senior Transportation Planner

MTR/pae

**REVIEW OF THE  
DRAFT ENVIRONMENTAL IMPACT  
STATEMENT (DEIS)  
FOR  
THE INTERSTATE 29/35 PASEO  
BRIDGE CORRIDOR**

1. My name is Ian M. Lockwood. I am a professional engineer. I am a partner with the firm of Glatting Jackson Kercher Anglin Lopez Rinehart Inc.

2. I have reviewed the DEIS that recommends a series of widenings, interchange modifications, and new and rehabilitated bridges that purport to meet the DEIS' "purpose and need."

15N

3. Given that draft environmental impact statements are supposed to be objective and inclusive of many perspectives, an examination of the neutrality of the DEIS' language was done. The DEIS' language indicates a bias and a predisposition toward favoring the real or perceived needs of motor vehicle users over other considerations. Biased language is used so often and so consistently throughout the DEIS that it negatively affects the objectivity of the DEIS. The conclusions and the values expressed in the DEIS tend to align closely with the bias inherent in the DEIS' choice of language and, therefore, likely contributed to the DEIS' highway-oriented direction for the area and away from more sustainable and environmentally-friendly directions. It is recognized that the transportation profession uses much of this biased

language commonly, but the DEIS' use of biased language is so pervasive and often so subtle, that the bias needs to be pointed out so that regular readers of the DEIS can understand the bias and, thus, be able to evaluate the DEIS and its recommendations more objectively.

a) "Improve, improved, improvement" and other variations of that word, were widely used in the DEIS. A typical example is "However, one purpose of the highway improvements at this location is to provide better management and control of driveway and entrance access along M-210/Armour Road" (S-15)." Likely, the changes inferred by the DEIS, here and elsewhere, use "improvements" as a short form to include adding through lanes, adding turn lanes, adding other means of increasing motor vehicle carrying capacity, and other modifications. "Improvement" implies making the situation better; "improvements" are inherently a good thing. However, more often than not, such changes make the situation worse from many other perspectives. For example, pedestrians are required to cross wider intersections when lanes are added; customer access to local land uses is decreased when medians block left turns in and out of the driveways of businesses. Higher numbers of motor vehicles pass people's houses and parks as more motor vehicles are accommodated on, or attracted to, the street or highway. Impervious surfaces increase as more land is paved, etc. Using a subjectively-charged term like "improvements" in these circumstances indicates a bias toward motor vehicle users and their mobility and against other people's considerations.

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 1



Using biased language is also unnecessary and avoidable because objective words are readily available, such as “modification, change or project.” Using objective language allows readers to make up their own minds, whether the changes or modifications are indeed “improvements” once all the issues and stakeholders’ interests are considered.

b) The DEIS states, “... improve freeway and interchange capacity to meet future travel demands” (S-10). Here, the DEIS equates “improve” with an “increase” in motor vehicle carrying capacity. However, “improve” does not mean “increase” and only people who understand or share the biases of the DEIS would realize that “increase” was meant. Increased motor vehicle carrying capacity may not be better from a variety of perspectives. Again, the DEIS’ biased language is unnecessary and avoidable because objective and more accurate words readily exist, such as “increase,” which would allow readers to determine for themselves if the increase was indeed an “improvement” once all the issues and stakeholders’ interests were considered.

The DEIS states, “... a facility that had an average speed of 40 mph that had been improved to 55mph will result in lower fuel efficiency.” (IV-76) Here the DEIS equates “improved” with “increased” with regard to the average motor vehicle speed on a street or highway showing a bias towards higher average speeds being inherently a good thing. This biased use of language is also ironic in this case because, literally in the same sentence, the DEIS states that the result will be “lower fuel

efficiency”. It is likely that people who are concerned about reducing fuel consumption, increasing fuel efficiency, reducing energy dependency, slowing global warming, reducing pollution, etc. would not share the DEIS’ bias that increasing the average speed of motor vehicles from 40 to 55 mph is an improvement. There are likely people who are concerned about collision severity, noise reduction, and suburban sprawl that may also take issue with higher average speeds for motorists as being inherently a good thing as implied by “improved.”

c) The DEIS uses the word “reasonable” frequently to describe the alternatives that it chose to carry forward. For example, the DEIS states that “... the build concepts that allow for the ultimate widening ... to eight lanes ... were carried forward as reasonable alternatives for further consideration in this DEIS.” (II-11) The DEIS uses the word “reasonable” to describe widening scenarios that accommodate eight lanes in what is a rather thick document. The word “reasonable” implies that any alternatives that do not accommodate eight lanes are “unreasonable.” Perhaps a less value-laden and paternalistic adjective to modify “alternative” would be “eight-lane compatible”. Another option would be not to modify “alternative”. The DEIS’ aforementioned quote would have read with less bias had it said, “... the build concepts that allow for the ultimate widening ... to eight lanes ... were carried forward as alternatives for further consideration in this DEIS.” Furthermore, the DEIS is an adequately thick document that the average reader might not recall

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 2



that the word “reasonable” means, according to the DEIS, “eight-lane compatible.” Additionally, if “reasonable alternative” is stated frequently enough and if it becomes the common means to communicate the idea of the DEIS’ short list of alternatives then any debate, discussion, or consideration of the issue is compromised because any person who does not agree that an eight-lane compatible freeway is a good idea is put in the position of supporting an unreasonable alternative simply through the DEIS’ choice of biased language. Lastly, if a reader is someone who is easily swayed by the biased use of language or if the reader is a person who simply picks up on jargon in order to conform with the discussion, biased words like “reasonable” and “improved” might be simply accepted at face and influence the person’s evaluation and conclusions accordingly.

d) “Traffic” is used throughout the DEIS. In addition to motor vehicle traffic, it is a fact that bicycle traffic and pedestrian traffic exists. Yet, in most occurrences, the DEIS uses “traffic” as an equivalent to “motor vehicle traffic” which makes the DEIS appear inclusive of more users of the street than the DEIS really is. Had the DEIS used “motor vehicles” or “motor vehicle traffic,” when that is what was meant, and had the DEIS used “traffic” when it meant all types of traffic, then the DEIS would be clear and more objective. The DEIS’ choice of language underscores the attention that the DEIS gave toward motor vehicles, while giving readers the impression of a wider scope.

e) The DEIS states, “All of the reasonable alternatives ... would result in improved traffic safety by providing a roadway with enhanced roadway geometrics including flatter curves, improved shoulders, and ...” (S-10). Notwithstanding the biased words, “reasonable, improved, and traffic,” the implications of the word “enhanced” is that the geometrics will be different than they are today and that they will be better. The implication is that faster speeds are better than slower speeds, flatter curves are better than sharper curves, wider (assuming “improved” is the DEIS’ way of saying “wider”) shoulders are better than narrower shoulders. There are plenty of roads where flatter curves would be unnecessary, where higher speeds would lead to lower safety, and where shoulders are not needed at all. All “enhanced” does is expose the DEIS’ bias towards high-speed geometrics. If this is really the message intended by the DEIS, then the DEIS ought to say “high-speed geometrics”. If it is not, then the DEIS should say “different geometrics” or “altered geometrics” or whatever the DEIS really meant by the word “enhanced”. Otherwise, only the people who share the DEIS’ bias would understand what is meant by “enhanced.” The DEIS should not substitute the objective adjective (whatever it is) with a value-laden adjective in the hopes that the reader either shares the DEIS’ bias or does not notice the subjective adjective. If the latter were to occur then the use of biased terms would help sway the reader into agreeing with the DEIS’ perspective. Either way, the DEIS is biased.

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 3

f) The DEIS states that "...the upgraded roadway facility would not substantially impair the utility of the parks." (IV-9) The corollary is that the "upgraded roadway facility" is impairing the utility of the parks in either a minor or moderate way. In other words, the DEIS is saying that the parks will be worse off as a result of the "upgraded roadway facility." From the perspective of a park user, would the changes to the "roadway facility" be defined as an upgrade? After all, "upgrade", by definition, implies a better outcome. It is more likely that the park user would consider the alterations to be a "downgrade." That would make much more sense because the parks are worse as a result. Therefore, the DEIS must be looking at the changes to utility of the parks from a different perspective than that of the park user. Obviously, the DEIS is looking at the parks from a motor vehicle user's point of view. Through the very choice of its language in this single sentence, the DEIS shows its bias, favoring motor vehicle users over park users.

Furthermore, how many ways can the DEIS avoid saying "wider highway?" Why does it choose positive-sounding terms like "upgraded roadway facility?" The reason might be that the DEIS does not want "wider highway" and the impairment of parks in the same sentence, which might cause some readers to not look favorably on the concept of a wider highway. Again, the DEIS demonstrates a bias.

g) The DEIS states, "Construction of any of the build alternatives would improve the efficiency of the transportation system ..."

and "The ability to provide a more efficient transportation facility is an integral component of I-20/35 improvements." It is obviously a good thing to desire a more "efficient" transportation system. By extension, it would be desirable if a more efficient transportation system were to result in a more efficient built form in general. In other words, society would be better off because it would consume less resources per capita because the built form was more efficient.

Two general and encompassing measures of efficiency of cities and regions are energy consumption and land consumption. Consider the energy consumption and land consumption per capita of various places. The pattern is that cities that pursue motor vehicle mobility (i.e., high motor vehicle speeds and high levels of service for motor vehicle users) through highway widenings tend to be the most inefficient. Houston, Detroit, and Los Angeles are good examples of highly inefficient cities (and cities that have high obesity rates too). The cities that fight congestion with road widenings tend to end up getting highly congested and inefficient. This pattern has lead to various jokes and observations such as "Battling congestion by widening roads is like solving obesity by buying bigger clothes" and "If you build it, they will come."

Cities that pursue transportation strategies that are less mobility-oriented (i.e., less emphasis on high motor vehicle speeds and high levels of service for motor vehicle users) use less energy and land per capita;

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 4



cities like Chicago and New York. Cities like Toronto, Sydney, and Brisbane are even more efficient. Many European cities like Amsterdam, London, Berlin, Frankfurt and Copenhagen are still more efficient than that. The most efficient cities in terms of land and energy consumption are Asian cities such as Tokyo, Singapore, Hong Kong.

As a side-note, it is interesting, as several Chinese cities have increasingly adopted western core transportation principles in recent years and have begun building highways and using motor vehicles at increasing levels, they have become less efficient. Concerns of resource consumption, resource availability, and pollution have been raised by the West. In other words, the decreasing efficiency of foreign cities, due to their copying strategies similar to those in the DEIS, is cause for concern. Perhaps the DEIS should raise the same concerns instead of implying that efficiency will be increased by highway widenings.

Consequently, the popular myth that pursuing high levels of service for motor vehicle users reduces energy consumption and land consumption is just that, just a myth. Though counter-intuitive on the surface, those pursuits actually have resulted in the most inefficient cities and regions in the history of the world. The DEIS has no evidence that the area will be more efficient, except the MPO's computer model. It is likely that similarly naïve models were used to sell highway widening strategies in the most inefficient places on the planet such as Los Angeles, Houston, and Detroit.

The myth begins with the assumption that a single motor vehicle, motoring along, free of congestion, burns less fuel than a single motor vehicle in a congested environment. So far, this part seems intuitively correct. The next assertion is that a stream of cars, moving along free of congestion, burns less fuel than a stream of cars in a congested environment. Again, this seems intuitively correct. Then, it claims that a whole city's or region's street network, with motor vehicles moving along, free of congestion, burns less fuel than they would in a congested network. This last part is where the leap of faith happens. The conventional model fails because it is too simplistic for the real world. However, the myth works well in computerized transportation models because they are also simplistic facsimiles of reality. By observing real cities in real life, the pattern is that second and third order consequences of the road widening strategy to battle congestion (i.e., changes in behavior, increases in trip lengths, land uses changes, etc.) more than undo any reductions in fuel consumption by the highway widening.

Reasonably aware, observant, non-technical people are able to witness, with their own eyes, the failure of conventional road widening strategies to fix congestion the real-life cities. Plenty of books have been written about this but the conventional transportation engineering establishment has had a hard time accepting this reality because a great deal of its assumptions and practices were grounded in conventional theories and core values that date back to the 1940s and

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 5

1950s, the golden age of the motor vehicle, when nobody had the benefit of over half a century of 20-20 hindsight about what were hoped to be correct theories.

The importance of getting the efficiency myth settled is important for this DEIS and the Kansas City area but it is also critically important for the broader context of the USA for several reasons, most recently, the peak oil situation. This is more than a fuel consumption and land consumption efficiency issue; it strikes at the heart of the country's economic, environmental, and social health. Consequently, it would behoove the DEIS to take a broader look at the efficiency issue rather than rely on a rather naïve model analysis that sounds good in a sound-bite, proves something that we already know intuitively but does not tell the whole story (i.e., that a stream of cars, moving along free of congestion on a street, burns less fuel than a stream of cars on the same street in congestion), and is incapable of predicting the patterns of inefficiency that accompany the conventional strategy of widening strategies to battle congestion.

Though it violates the core values of conventional transportation engineering theory, Gilbert and Perl were willing to point out the fundamental problem in their work, *Energy and Transport Futures*: "We lean toward [the] view that our survival depends not only on engaging in long-term planning but also on the extent to which we are able to replace certain core values. One such core value is that moving people and goods faster and faster in ever-increasing amounts is inherently desirable, a value manifested in the

'predict and provide' paradigm that has inspired transportation policy for at least three generations." Gilbert and Perl summed up the DEIS and its fundamental flaw in a nut-shell: the premise of the DEIS is based on a just such a core value that needs replacing. The DEIS spends a great deal of time using conventional arguments about the desirability of "moving people and goods faster and faster in ever-increasing amounts" using the MPO's conventional "predict and provide" model.

It is interesting that American cities were not inherently inefficient. They became inefficient over a 60-year or so period through public policy, public projects, and public subsidies geared toward the construction of highways and the pursuit of motor vehicle mobility and higher speeds. The conventional transportation model began in earnest as a result of the 1939 World's Fair. The General Motor's exhibit, Futurama, touted a vision of driving anywhere, any time, in one's own personal motor vehicle. The idea was tantamount to freedom. Cities had no idea that they would end up with high costs, automobile dependence, barriers to pedestrians, barriers to social activity, sprawl, safety problems, large energy needs, respiratory problems, obesity epidemics, and related diseases.

Perhaps one of the key problems with the conventional transportation model is its financial cost. Inefficient cities and regions typically find that they never have enough money to widen their way out of congestion. States that help cities fund the conventional model are finding that they

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 6



are financially short. Virginia, Pennsylvania, California, and New Jersey, for example, are feeling the financial squeeze. They also have financial difficulties maintaining their existing infrastructure. MoDOT may or may not be financially flush, but over time the financial consequences of the conventional model will add up due to increasing maintenance costs, as new and bigger infrastructure is added to the inventory. The cities that invest in more sustainable projects and strategies are, and will be, more efficient and better off.

So, in some ways, the long-term prosperity of cities is tied to efficient approaches to transportation and land use planning, which involves a multitude of modes. Efficiency involves congestion; interestingly, the most efficient cities still have congestion. Efficiency involves land use types, land use mixes, and transportation choices. It involves density and it involves investing in things that make cities great. Efficiency does not involve the narrow pursuit of high levels of service for motor vehicle users, couched in biased language.

The DEIS states that "The No-Build Alternative ... would have no increased energy impacts. However over time, energy use would increase due to ... increased travel times along the corridor due to congestion." (IV-76) Based on the patterns witnessed at other freeways going into CBDs, it is quite likely that the MPO's model overestimated the time that will take for the proposed eight-lane highway to become congested due to second and third order consequences of the additional motor

vehicle carrying capacity. Regardless, the wider highway will eventually get congested and instead of the current number of lanes being congested, there will at least eight lanes of congestion, associated sprawl effects, and a postponement of a pursuit of a sustainable course of action in a relatively more challenging and motor vehicle dependant context. On the other hand, a scenario of not widening but changes in land use, employing multiple modes, etc. will increase efficiency through land use adjacencies, changes in behavior, discouraging sprawl, etc.

h) The DEIS states "personal mobility" (I-11) twice, once while a public transit option was being "eliminated from further consideration" (I-10) and once when cycling and walking were being "eliminated from further consideration." The word "personal" was never used to describe motor vehicle users or their "personal" mobility. They were typically and anonymously incorporated into words such as "level of service" or simply "traffic" as if pedestrian traffic, bicycle traffic, and transit traffic and their levels of service did not count. Again, the DEIS demonstrates its bias.

150 4) The DEIS communicates poorly on many occasions by describing complex situations or voluminous data only in words. There was a general lack of maps and diagrams at times when they would have provided the reader with a clear idea of the impact of the highway widening project. Considering the variety of perspectives involved, describing impacts

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 7

with a positively-sounding adjective does not help readers. For example, it would be informative to see, via a plan view, how the potential footprint of the highway widening project affects the Seymour Rugby Park. It would be beneficial to see, via a plan view, the proposed removal of part of Macon Street, in North Kansas City. Street removals are normally serious issues due to the reduction in routing options, access, etc. but there was no way to look at this impact. With today's readily available visual representation capability, it would be both good practice to employ photo-imaging, GIS mapping, etc. Due to the DEIS' predisposition towards highway widening, literally taking its "word" for it that the impacts are acceptable, does not provide much comfort. There are dozens of instances where maps, diagrams, and other visuals would have been helpful, particularly for people who are not intimately familiar with the entire area, for people who are reviewing the DEIS, and for people who are familiar with the area but can understand the impacts better from visual means rather than positively-sounding words or just data. The DEIS' use of obsolete communication techniques avoids communicating what could be serious issues.

For example, tables, such as Table III-6 and Table III-11, contain lots of data but provide little information because of their inaccessible format to most people. The data would become much more informative if were mapped geographically with pie-charts, bar-graphs, or some other visual means of understanding. Consequently, if there were something important on the tables, it is likely not

being understood very well by many readers.

- 15P** 5) The suggested design-build process inappropriately postpones key decisions and discussions to a time after the DEIS, when these decisions and discussions need to be part of the DEIS for all the reasons that DEIS are done. The idea of looking at a "worst case" footprint is vague and non-committal. The reasons given in the DEIS is to provide the contractor with flexibility. But, if the project were deemed unacceptable and does not go forward, then there will be no contractor and no ability to determine if the project is acceptable. The idea of postponing parts of the DEIS analysis until after the DEIS creates a Catch-22 which is unacceptable.

For example, the DEIS states "...the visual quality of new river crossings may be reduced or improved when compared to the existing Paseo suspension bridge, depending on the type ..." (S-13). The Paseo Bridge's historic status, its importance as an entrance feature, and its importance to the public are all good reasons to figure this out during the DEIS stage. Considering the low importance that the MoDOT assigns to visual issues, readers of the DEIS would have to assume the worst. For example, even for low cost aesthetic modifications, the DEIS states that the "MoDOT can incorporate aesthetics and urban design elements into the final design of the corridor, provided other funding sources are identified to pay for and maintain such enhancements." (IV-75) Considering the DEIS provides no assurance that the bridge will be acceptable

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 8



visually (i.e., "... visual quality...may be reduced") and considering that the DEIS states that "The bridge type will be chosen after the EIS is completed" (S-15), the DEIS needs to be rejected.

The related assurances in the DEIS, such as "reasonable proposals from the contractor will be examined to assure that we have considered their impacts ..." (S-9) ring hollow. Based on the highway-oriented bias of the DEIS, there is a trust problem here. These issues need to be addressed at the DEIS stage before any highway widening project gets more inertia, while the MoDOT is still at the table, and while more sustainable solutions are still an option.

The DEIS states, "Access management in the M-210 interchange area will be further coordinated with the City of North Kansas City during the project design phase." (S-15) The affected property owners and the City of North Kansas are not going to be in any position to get a balanced project when they have no negotiating position "during the project design phase."

The DEIS states, "Following the Final EIS and Record of Decision approval, ongoing coordination with the public, stakeholders, organizations and resource agencies would continue to develop and fulfill appropriate mitigation measures and commitments ..." (S-16) Again, this just rings hollow. The DEIS has shown little openness to anything but a conventional highway widening project and supports a design-build process that provides such a project with momentum. The suggestion that the MoDOT will continue to develop and

fulfill appropriate mitigation measures and commitments is insincere because the big decisions will be have been made before adequate mitigation can be considered. Furthermore, there would likely be far less damage to mitigate if the wrong project was avoided and if a flawed DEIS and flawed process are avoided as well.

The DEIS states that "We will continually monitor and assess the proposed Design-Build alternative to make sure it does not introduce significant impacts that aren't covered in the approved NEPA document." (II-46) This is coming from a group who claims that expanding an interstate highway through a city and by neighborhoods and parks is acceptable, reasonable, and economically desirable. This coming from a group whose definition of "significant" may differ from that of a typical reader. Most, importantly this is coming from a group who recognizes, ahead of time, that there will be impacts that are not covered by the NEPA documents during the design build process and, as long as they are not significant (in their view), they are acceptable.

**15Q 6)** The upshot of the "Racial Characteristics" in Table III-3 is that minorities are concentrated the most in the "Study Corridor" at 40.7%, with more minorities being concentrated toward the CBD (e.g., 39.2% for Kansas City) and more whites being concentrated in the outskirts such as Clay County (e.g., only 7.6 % minority). Though the DEIS never actually states it, it is obvious that the highway widening project is being done

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 9



through darker-skinned areas so that increasing numbers of whiter-skinned people can drive through faster and in larger numbers. No other conclusion can be made other than minorities are negatively affected disproportionately compared to white people as a result of this highway widening project. This omission in the DEIS fits the pattern by the DEIS of deemphasizing bad things about the highway widening project and stressing the good things (as the DEIS sees it).

Interestingly, from an "Income and Poverty" (III-22) perspective, 23.4% of people in the study corridor live below the poverty level. The percentage of people living below the poverty level decreases as one gets further from the impacts and further north (i.e. Kansas City 14.3 %, North Kansas City 12.5%, and Clay County 5.5%). Again, the DEIS provides the data but fails to turn the data into the relevant information so that the conclusion that the highway widening project will benefit relatively wealthy motorists and negatively impact the neighborhoods, parks, etc, in areas with less-wealthy people. This fact is reinforced by the data provided in the DEIS; that the range of median income in the area impacted is somewhere between \$9,500 and \$36,625 per year while the median income in Clay County is \$48,347 per year.

In the "CBD North Loop Corridor" there are three Census tracts with very low numbers of households that have motor vehicles available to them. 37%, 55%, and 60% of households have a motor vehicle available to them. This means that many households have no access to a motor

vehicle. Consequently, the proposed highway widening project that benefits whiter-skinned, wealthier, motorists is not even accessible to many of the people whose Census tract the highway passes. Even the DEIS recognizes this when it stated that the "Benefits from the transportation improvements would accrue to persons or businesses whose vehicles use the improvements." (IV-27)

The DEIS stated that, based upon their efforts, "disproportionately high impacts to minority and low-income residents in the I-29/35 Corridor are not expected." This conclusion is hard to fathom but it was necessary for the DEIS to claim in order for its preferred alternative of a highway widening project to have chance at survival. A reasonable person will readily conclude, based on the contents of this DEIS, that the opposite is true.

The DEIS quotes the National Environmental Policy Act of 1969 when it "declared that it is the 'continuous responsibility' of the Federal Government to 'use all practical means' to 'assure for all Americans, a safe, healthful, productive, and aesthetically and culturally pleasing surrounding.'" (IV-34) The DEIS then suggests that the highway widening project is an opportunity to "jointly enhance and/or preserve social, economic, environmental, cultural or visual values of an area." What is more likely, is that the Federal Government will i) recognize the DEIS' proposed project for what is really is and ii) that one of the Federal Government's "practical means" to assure the people in this area "healthful surroundings" would be to reject this

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 10

DEIS. There are likely several strategies that would “enhance and/or preserve” the area better than a highway widening project. Unfortunately, the DEIS dropped these strategies because they did not meet the purpose and need of the project to add motor vehicle carrying capacity to the road (i.e., the purpose and need was to widen the highway).

To describe the impacts on parks, the DEIS makes statements like “The build alternative would have no direct acquisition impacts” or “no direct impacts.” In the case of Kessler Park and Belvidere Playground, the widening project will not result in “direct impacts ... by using retaining walls to keep roadway improvements within the existing right of way.” (IV-9) The wider highway would “not substantially impair the utility of the parks.” But, the parks, that the darker, less-wealthy, people use, are going to get worse as a result of the highway widening project that will benefit whiter, wealthier, people who are driving by.

The DEIS states that “Various methods were reviewed to potentially mitigate the noise impact...” Several noise walls of various lengths (e.g. 549 feet, 3,050 feet, 843 feet, and so forth) (IV-48) were considered for the negatively affected residences along the corridor. Some noise walls were deemed both “feasible and reasonable” and others were not, while still others were deemed feasible but not reasonable. Some residences were not in areas with high enough densities to have the highway widening’s noise impact mitigated. On the whole, people along the corridor will be living with the negative

impacts of more noise produced predominantly by wealthier, whiter, people, commuting through from the suburbs. However, the DEIS indicates that during the project development stage these people can attend meetings designed to “solicit comments, opinions, and concerns...” (IV-49)

The DEIS states that “There is much research and empirical evidence to support the theory that economic development would follow significant improvements in transportation and access. However, the build alternatives for this project would basically replace an existing infrastructure and would not provide any substantial new access. The existing economic and social opportunities would remain or be enhanced.” (IV-85) If economic development and social opportunities follow interstate projects then, the corridor should have had substantial reinvestment and social benefits after the original freeway was built. However, the DEIS itself is full of evidence that the corridor has dilapidated buildings, low-income neighborhoods, and barriers to community. The DEIS itself is full of evidence that there are going to be impacts that will make the area worse if the project were to go forward as proposed. Why would anyone believe the MoDOT this time; that a much larger interstate would either cause no effect or even enhance the area economically. The position is not credible. Increased noise, more motor vehicle traffic, negative visual effects, and increased barrier effects of a bigger freeway do not enhance property values or quality of life. The DEIS is again using arguments to support its highway widening

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 11



project that are based on old core beliefs that need changing.

Finally, the DEIS demonstrates bias in the level of input afforded to major property owners and businesses that stand to benefit financially from the highway widening and bridge projects. A similar level of influence and importance has not been accorded to the concerns of racial and economic minorities who live in the corridor, and who will bear nearly all of the negative costs associated with the project.

15R

7) The DEIS provides a page-long description of levels of service as perceived by motor vehicle users. A level of service of "A" as perceived by motor vehicle users is considered "the most favorable driving condition" while "F" represents "a failure of traffic operations." There is a great deal of concern about the levels of service as perceived by motor vehicle users in the DEIS, but it does not take long for the DEIS to drop the "as perceived by motorists" and to use the abbreviation "LOS." The DEIS never considered, mentioned, nor explained levels of service for non-motor vehicle modes of transportation. Furthermore, the DEIS continues the habit of conventional engineers of using LOS as if it were an inclusive measure of effectiveness, even though it only includes the perceptions of motor vehicle users. The "LOS" estimates likely originated from the MPO's computer model which likely cannot model non-motor vehicle levels of service nor how anybody, besides motor vehicle users, perceives the streets. Consequently,

the DEIS shows a bias toward the unstated benefactor for the "LOS" estimates, the motor vehicle users.

Furthermore, the seriousness of any lower levels of service as perceived by motor vehicle users is exaggerated most times in the DEIS. Typically, estimates of how drivers will perceive operational conditions is conducted for the hour (or sometimes even 15-minute period) of a weekday that has the highest amount of motor vehicle use, leaving over 90% of day unaddressed, but presumably with higher levels of service from the perspective of motor vehicle users. Consequently, for the vast majority of the day, the highway is fine from the perspective of motor vehicle users.

The DEIS seems to have a number of ways to worry about basically the same thing; the speed of motor vehicle users. A wide variety of discussion points, in the DEIS including, "LOS", "operating costs", "travel times", "congestion", "efficiency", "quality of travel mobility", "improving traffic flow", etc. all have their roots in motor vehicle speed. In other words, the DEIS has managed to find all sorts of ways to talk about and/or measure what is most important to it; motor vehicle speed. There is no other consideration that enjoys this treatment in the DEIS, further indicating its bias.

15S 8) The DEIS states "As part of the build alternatives for the CBD North Loop, opportunities for corridor enhancements or urban design elements were investigated. These ideas could be explored by MoDOT

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 12



or by the City of Kansas City as part of the Context Sensitive Design approach. Enhancements are aspects of a transportation facility that give it aesthetic value, such as landscaping, lighting, signs, and the shape, color and texture of bridges, retaining walls and other barriers. At this time, ideas for urban design elements are preliminary and intended to identify general ideas for improvements that could be incorporated...if funding by others becomes available for such enhancements.” (II-42)

Urban design does not mean finishes, light pole choices, etc. Urban design includes the design and relationships of buildings, open spaces, streets, blocks structures; it involves land use planning, transportation planning, architectural direction, market understanding, etc. The DEIS ignorantly belittles urban design as an after-the-fact exercise of prettification. Having a conversation about urban design during the final design process is too late.

The DEIS states that the “MoDOT can incorporate aesthetics and urban design elements into the final design of the corridor, provided other funding sources are identified to pay for and maintain such enhancements.” (IV-75) The position of the MoDOT to require others to fund finishes, lighting, and landscaping on a highway widening project of this magnitude, borders on scorn for aesthetics and the quality of the public realm, which is unacceptable.

The DEIS states “As final design proceeds for improvements to the corridor, MoDOT will continue to work with the City and

stakeholders to develop an appropriate context sensitive urban design approach for integrating enhancements along the corridor.” (IV-35) A good context sensitive design process should have started long before this DEIS was published, let alone during the final design stage of a highway widening project. It’s too late for a context-sensitive design process if this highway widening project were to go forward based on this DEIS. The result would amount to window dressing and shrubbing it up. All the important decisions and design choices would have been made. Context-sensitive design is about allowing the context to influence the basic tenets of the candidate courses of action; it does not mean mitigating poor aesthetics of a conventional highway widening project. The fundamental misunderstanding of context-sensitive design demonstrated in the DEIS indicates that related training/education on the subject is needed and the DEIS’ puerile views on context sensitive design need to be considered accordingly.

- 15T 9) The DEIS relied hugely on a conventional computer model to estimate what the situation would be like in twenty-five years or so for motor vehicle users. The results of the computer model were given so much importance that they were actually interpreted as a mandate for the highway widening project. A different interpretation of the model’s output could have been a warning; a warning to the MoDOT and the community to do more sustainable actions, to cooperate with other agencies, to provide some environmental

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 13

stewardship and leadership so that the rather gloomy forecasts about car-dependency would not happen, to shed the MoDOT's apparent highway building-orientation, to slow down the decanting of Kansas City into the northern exurbs, and to modify the existing interstate to undo some of the original damage to the community (that this DEIS admitted) that happened during a (hopefully) bygone era when these sorts of highway projects were allowed.

15U

10) The DEIS describes the project area as a "bottleneck." If this bottleneck were removed by the proposed highway widening project, then it is likely that parts of the loop around the CBD will become the next bottlenecks. It would be a logical extension of the strategy in this DEIS to widen those new bottlenecks in order to battle congestion, bring economic benefits to those areas, and support other conventional core values of the DEIS. However, this pattern of chasing congestion and removing and creating bottlenecks could go on for some time. The DEIS' current proposal is likely just one segment of potentially similar segmented projects in the vicinity of the CBD. If this is the case, then the DEIS needs to come clean on this issue and determine the environmental consequences of the total effort. However, if newly created congestion at the next bottlenecks are not part of a segmented effort, then the DEIS needs to address the effects of the newly created congestion on those impacted areas. After all, the MPO's model forecasts tens of thousand of more motor vehicles using the 4.7 mile project;

they are not just going to limit their trips to driving up and down the 4.7 miles of widened highway.

The DEIS states that, in a discussion about the termini for the project, "The proposed action will not foreclose transportation options to the north of the project termini or to the adjacent sections of the CBD freeway loop." (1-29) Unfortunately, this is not only true but additional widening projects are likely the unstated intent for future "bottlenecks" elsewhere on the loop and to the north. Consequently, the quarter of a billion dollars is not the end of the expense nor the impact of this DEIS' strategy. Impact on these other areas, their safety, etc., were not even mentioned. The highway widening project transfers some problems elsewhere while exacerbating other problems along the project's corridor. Meanwhile, the highway widening strategy establishes inertia for a widening strategy to be applied in those areas as well. This will cost a lot of money not to mention the money for on-going maintenance. It is likely that the State has hard enough time, financially, keeping its existing infrastructure in good shape, without the proposed additional maintenance burden. Regardless, the DEIS should include the total picture of the widening strategy, not just a few of the impacts of the segment that is being considered at this time.

15V 11) Even great cities, with terrific public transport, mixed uses, agency coordination, and high levels of walkability, have congestion; in fact, if they did not have congestion, it is unlikely

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 14



they would be the great places that they are. Yet the DEIS and the MoDOT have chosen the path of trying to solve congestion by highway widening and without a coordinated, multi-modal, multi-agency approach, and without land use changes. This does not sound like a recipe for success. However, the DEIS did consider HOV lanes as part of a strategy as a "separate systemic regional initiative" (S-9). The DEIS carefully stated that an "analysis was completed in order to determine if HOV lanes should be considered if a future widening to eight lanes is determined to be warranted and if funding is available" (S-8). Notice that there are three "ifs" in that sentence and one has to do with funding; talk about noncommittal. The DEIS stated that "A separate environmental document may be prepared for transit recommendations" (I-4) which also means that it may not be prepared, but it ensures that it, if it is prepared, then it will not part of the DEIS' strategy. Furthermore, the DEIS' strategy of trying to make it easy to drive, as perceived by motor vehicle users, through building more motor vehicle lanes almost ensures that the HOV lanes will provide little relative incentive to double up, which was confirmed in the DEIS' analysis, to no surprise.

The DEIS states that "The traffic impacts of construction would be minimized by increased coordination and promotion of alternative transportation modes." (IV-82). It is interesting that the DEIS admits that public transportation could be relied upon to minimize "traffic impacts" during construction. If such significant benefits could be achieved in a time of construction

with the unpredictability of transit routes, limited transit routing options, etc., that construction projects of this magnitude would bring, imagine what would be possible with a permanent coordination and promotion effort over a longer period of time and with a large portion of the quarter of a billion dollars available.

The DEIS confirms that TDM strategies will work better and without any agency promotion or support if the highway were not widened in the future when it states that "Because of limited freeway capacity and high traffic demands, the peak congested travel periods would be expected to become longer." (I-17). In other words, many drivers, whose schedules are relatively flexible, will avoid the busiest times of the day and go just before them or just after them. In this way, the highway's motor vehicle carrying capacity would be used more efficiently over longer periods of the day. Obviously, if the DEIS is correct in that driver behavior and expectations is affected by congestion, then it is reasonable that other drivers, who are currently on the margin of taking public transport, would take public transport, which would also increase efficiency. Similarly, walking and bicycling would be relatively more competitive compared to motor vehicles, again resulting in more efficiency.

**15W** 12) Of the list of seven "Initial Improvement Concepts" (II-2), in the DEIS one was highway widening, one was the "No-Build", one was reconstruct "in-kind", and four involved TDM, transit, bicycle, pedestrian, and network concepts.

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 15



The latter six concepts were readily dropped because they did not meet the proposed "purpose and need" of the project which was to "add vehicular capacity" (I-5). When the purpose and need is defined "to add vehicle capacity" little else can happen.

By definition, the six latter concepts could never meet the stated "purpose and need" because they do not add motor vehicle lanes. The outcome was predetermined and, consequently, the relatively sustainable concepts were not taken seriously. The DEIS further ensured their failure by evaluating each option alone even though it is well known that these sorts of strategies need to be multi-pronged and coordinated.

15X

13) Transportation mode choice and walkability were never mentioned as evaluation criteria, even though the DEIS stated that "A major consideration in highway planning and design is the interaction among motorists, pedestrians and bicyclists... The city also developed... a policy guide... to provide a walkable community." Though the City wants to be walkable and DEIS considers motorists, pedestrians, and cyclist interaction to be a major consideration, precious little of the more than a quarter billion dollar public infrastructure investment was proposed to increase walkability and cycling. Moreover, the DEIS states that the "MoDOT will support the future creation of a bicycle and pedestrian connection across the Missouri River on the Heart of America Bridge, M-9, in conjunction with local master plans. This project may be

funded by local or regional transportation sources. (S-19)" In other words, pedestrian and bicycle modes will have the MoDOT's "support" elsewhere in the future but only if it costs the MoDOT nothing. With support like that, the DEIS' kind words about walking and cycling amount to lip-service relative to the incredible support being given to motor vehicle users. It was as if the DEIS thought that the MoDOT's responsibility lies only with highway building.

The DEIS touches on the area's rich transit history when it stated "Expansion in Kansas City and North Kansas City also proliferated due to railroads and streetcar systems, which allowed residents to move further from the city's center." (III-44) Obviously, public transit played a key role historically with people using it to travel longer distances than they had previously. It would be interesting to compare the relative funding levels and the policy environment supporting the street car systems and highway systems, then and now. It would also be interesting to correlate them with the percentage of trips being made by street cars, trains, foot, bicycle, and car. It is likely that the same pattern that happened in other areas of the United States happened here; public transport was neglected and public subsidies were used to support motor vehicle users through highway building. The area was transit-friendly at one time and could be again if efficiency, mode choice, and equity were truly priorities.

In a little recounting of the "highway corridor's development", the DEIS stated that, "Further improvements to the

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 16

transportation systems, the freedom fostered by the automobile, and cheaper residential construction methods made homes outside of the urban center more affordable to the common citizen." (III-44) Like the General Motors exhibit, at the 1939 World's Fair, the DEIS feels that automobiles foster "freedom." Of all the words and choices of phrase available to describe the area's past, the DEIS related the use of automobiles to "freedom." Though this core value could be detected by reading between the lines throughout the DEIS, it was not expected to literally be there in black and white in 2006. Nevertheless, it certainly helps explain the DEIS' focus on the highway widening project and not on the six other strategies that would, by extension, equate to being against "freedom" because the motor vehicle traffic operations may not be good enough from the perspective of the motor vehicle users themselves (i.e., "LOS").

It is interesting the DEIS feels that the highway projects (i.e., "further transportation improvements") and the freedom, fostered by motor vehicles, made homes "more affordable to the common citizen." This sounds like a wonderful land use consequence of highway building. The DEIS recognizes the direct cause and effect relationship between highway widening projects and tract housing projects in the suburbs. However, environmentally, this is normally worded less favorably as "suburban sprawl."

Furthermore, the DEIS may have missed the mark somewhat with its notion of the common citizen getting affordable housing as a result of highway construction and the

"freedom" fostered by motor vehicles. According to the DEIS' data, the common citizen who really needs affordable housing actually lives along the corridor of the highway that is proposed to be widened. The DEIS' data indicates that the darker, less-wealthy, citizens are being further impacted by the whiter, wealthier, citizens who actually live in the suburbs and have the "freedom", fostered by their automobiles, to drive through and past the houses and parks of the darker and less-wealthy citizens. The DEIS indicated that many of the citizens near the highway do not have automobiles; and thus they would supposedly have less "freedom". Yet, the lesser amount of "freedom" that they do have; fostered by the shoe, the bicycle, and the bus is going to get lessened further as a result of the highway widening project.

It seems, based on the DEIS, that these wealthier, whiter, people have little choice but to use their motor vehicles for their daily transportation "needs." The failure of both land use and transportation planning to provide transportation mode choices turns their motor vehicles effectively into prosthetics; these people are effectively handicapped without their motor vehicles. Contrary to providing "freedom" to these people, it seems that poor transportation and land use planning has, instead, caused these people become prisoners of their motor vehicles, needing them for most aspects of daily life and being handicapped without them.

Interestingly, the DEIS concludes that it is a good idea to continue the past transportation practices that created these problems in the first place. Perhaps if the

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 17



15Y

DEIS set aside some of its old core values and pursued a multi-pronged, multi-modal strategy that involved land use and inter-agency coordination, then the entire community would have increased transportation choices. If freedom has anything to do with the ability to make choices, then their freedom would increase. Furthermore, fewer of them would be motor vehicle dependent so they would not have to negatively impact the poor and minority communities nearest the proposed project site. Furthermore, the darker, less-wealthy, people would have more transportation choices available to them as well and a higher quality of life.

14) In an awkward way, it seems like the DEIS recognizes the highway's role in suburban sprawl. In the section about vehicle miles traveled, the DEIS states that "...motorists can travel longer distances in a shorter amount of time" and that "the percentage of regional households within 30 minutes of downtown Kansas City would increase with the build alternative ..." and so would the amount of developable farm land and developable open space for tract housing and other development.

The DEIS also recognizes i) that the highway widening impacts are being concentrated in the areas that are experiencing the least growth, and ii) that the outlying areas are receiving development subsidies in the form of highway widening projects, by stating, "Between 1990 and 2000 the study corridor experienced a decline in its population of almost five percent ... In

contrast North Kansas City and the Kansas Metropolitan area experienced patterns of growth with about 14% and 13% increases respectively. The City of Kansas City's population increased only slightly by about 1.5 percent. Clay County experienced the highest growth at nearly 20 percent." (III-6)

Based on the DEIS, it is likely that the vast majority of the motor vehicle users on the subject 4.7 miles of "interstate" are not traveling over a hundred miles, particularly during the busiest periods of motor vehicle use; it is more likely that they are local people going to work, running errands, taking children to school, picking up and delivering things, etc. on a regular basis. The MPO's computer model helped the DEIS conclude that this kind of thing was going to happen at higher levels as time goes by if the highway were to be widened. Considering that most of the current trips are local in nature and that most of the increases in trips in the future would also be local in nature, a transportation system that was designed for those sorts of trips would make sense. Instead, MoDOT proposed the most expensive and least appropriate transportation system for them; an interstate highway system. It would seem to make more sense to provide non-interstate type roads, public transport, and walking and cycling facilities for daily commuting and local trip-making. Based on the DEIS, it seems that the MoDOT is comfortable with the opposite; building big highways and, regardless of the nature of the problem or the context, they are comfortable with the solution of highway widening.

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 18



15Z

15) The DEIS states that "Reduced levels of congestion will result in fewer collisions." (S-10) It also states that "Only four fatal crashes occurred in the Study Corridor over a five-year period. This is most likely due to the congested conditions and slow travel speeds in the corridor." (I-12) Fatal collisions usually involve tremendous trauma to the people and vehicles involved. This requires plenty of energy to be absorbed by the motor vehicles and the people which is why excessive speed is normally a contributing factor. Yet in this corridor, apparently "slow travel speeds" and congested conditions were "most likely" the two main contributing factors according to the DEIS. It would be interesting to see the police reports to see how the slow speeds contributed so heavily to these four deaths, as stated by the DEIS.

It is very likely that most of the interstate highway system in Missouri does not have as many closely-spaced interchanges as this part does. Consequently, it is not surprising that the State average collision rate is lower than the rate in this area.

All else being equal, if the speeds were to increase greatly in this part, as proposed by the DEIS, then collision severity would rise and the interstate would be more dangerous than it is today. All else being equal, if tens of thousands more motorists used this part, then the number of collisions would rise and the interstate would be still more dangerous. The combination of higher speeds and more motor vehicles would compound the danger. However, the DEIS suggests that new high-speed geometries and less

congestion (higher speeds) would more than counteract all that and the interstate would be safer.

To estimate safety changes, the DEIS looked at a collision rate (i.e., collisions per one hundred million vehicle miles traveled). By dividing the number of collisions by a large number that increases over time (according to the MPO's computer model), it makes the real number of crashes seem less serious.

A reasonable person would consider a decreasing crash rate to be a good thing. However, consider a hypothetical (for the ease of the math) situation, involving a total population of 1,000 motor vehicle users and pedestrians. Combined, the motor vehicle users drove 1,000,000 miles in the year 1969 and there were 100 collisions. By the year, 2000 the population grew to 1,100 people who had 180 collisions and the motor vehicle users drove 2,000,000 miles in that year. Was the population safer in the year 2000? The number of collisions rose by 80% over the 30 years but the collision rate, based on mileage, dropped by 10%. Obviously, the risk of being involved in a collision rose substantially for the population of motorists and pedestrians but the risk per mile dropped. So the motorists and pedestrians were less safe but the miles were safer.

The US Department of Transportation indicated that the annual VMT per capita has increased from 3,979 miles to 9,220 miles between the years of 1969 and 2000. In other words, in about 30 years, VMT per capita more than doubled.

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 19

Consequently the collision rate would have to halve for the risk to remain the same for the average person. However, the miles are probably in good shape.

The collision rate for the highway widening project was compared to a fictitious No-Build alternative, an alternative that nobody of sound mind would suggest given a budget of over a quarter of a billion dollars and a concern for the environment. Naturally, the DEIS found that the highway widening project would do better. Due to the above-mentioned reasons, the DEIS is misleading.

The DEIS states that highway widenings that allow motorists to drive "longer distances in a shorter amount of time." Furthermore, the DEIS forecasts increases in motor vehicle use numbering in the tens of thousand per day. It is reasonable to assume that a typical, new, motor vehicle trip that uses part of the 4.7 miles of the widened highway proposed by the DEIS, would use other streets as well. It is likely that the distance traveled on the widened highway would be only a small fraction of the trip's total length. Consequently, the other tens of thousands of new motor vehicles trips predicted to be accommodated by the widened 4.7 miles of highway, would travel the greatest distances on streets other than the subject 4.7 miles. Consequently, it is reasonable that motor vehicle volumes on the other unwidened roads nearby would rise and congestion would increase. According to the MoDOT's methods of estimating such things, collisions should, therefore, increase on those streets proportionally.

Considering the "VMT" of those new trips off of the 4.7 miles is likely many times greater than their "VMT" on the 4.7 miles, the increase in collisions on streets in the vicinity of the widened highway will more than outweigh any reductions on the 4.7 miles itself. However, these collisions were not considered nor were the worsened collision rates for those impacted streets estimated. These newly generated collisions were obviously not included in the benefit-to-cost ratio that the DEIS used to support the highway widening as well.

The DEIS stated "Reduction of speed limits, although acoustically beneficial, is seldom practical unless the design speed of the proposed roadway is also reduced" (IV-47). Now the DEIS might have been onto something here for the overall project and specifically for the north loop. With a lower design speed, the road would be quieter. It would also be safer, easier to meet guidelines regarding ramps and weaving, it would be more context-sensitive, and it would provide better for access to businesses. Unfortunately, no options along these lines were entertained by the DEIS, even though forward thinking people in other cities are pursuing slower design speeds for safety reasons (as well as for environmental, social, and economic reasons).

**15AA** 16) The DEIS recognizes the damage to the community that was done when the freeway was first built and that restoration would be a benefit by stating "Improving the physical connectivity between these areas impacted by previous highway construction would further support the

Glattig Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 20



economic sustainability of the CBD and the surrounding areas." The DEIS states "...most of the current views from the road include industrial buildings, deteriorating buildings, numerous billboards, poor pavement conditions and high traffic volumes. The only notable high quality views from the road occur at the River Forest Park area." (IV-71) It would be interesting to determine if the five items listed as contributing the low quality views were influenced over the decades by the construction and proximity of the freeway through the area. They are likely very related. It is also likely that the removal of billboards, the conversion of the industrial buildings to other uses, the rehabilitating the dilapidated buildings, and the lowering the high motor vehicle traffic volumes has been impaired, prevented, or exacerbated by the existence of the highway. The poor pavement condition is likely a maintenance problem that has likely persisted due to lack of money for maintenance. Spending over a quarter of a billion dollars on a highway widening project next to these five unsightly items would likely create a cumulative disincentive to alter them positively. Therefore, it is not acceptable to take the position that, because the original freeway damaged the area extensively, it is o.k. to damage it some more with a bigger freeway.

The DEIS states that "Most of the APE associated with the proposed improvements to I-29/35 is limited to areas that have been previously impacted by the construction of the interstate." (III-44) So most of the areas, that are proposed to be negatively affected by widening the highway, were already negatively affected

by the original highway. However, some parks apparently are immune to the negative impacts of highway widening according to the DEIS. "Margaret Kemp Park, Columbus Square Park, and West Terrace Park will experience "no constructive use impacts" for two reasons which include, "since the roadway currently exists adjacent to these parks and the upgraded roadway facility would not substantially impair the utility of the parks."

The DEIS states "The construction of the original freeway within the study area altered community cohesion including the disruption of neighborhoods and businesses." (IV-4) but "... the overall land use patterns adjacent to the corridor would not be disrupted as a result of the (current) project." (IV-4) The DEIS feels that the highway widening project, "would not result in new severances or further disruptions to existing neighborhoods." (IV-5) It just makes sense that, if a narrow highway through a place disrupts it, then a bigger and busier highway will disrupt the place more.

The incremental nature of the degradation is not limited to parks and residences. The DEIS states "Since the project involves the improvement of an existing roadway, all of the stream crossings have previously been culverted, relocated, or bridged. As a result, stream impacts are minimal." Although the negative impacts to the environment still exist and have been made worse as a result of the proposed widening project according to the DEIS as it states, "Direct water quality impacts include highway or bridge runoff..., and operation

Glattig Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 21



15BB

and maintenance related impacts.” (IV-53) There could be 22 acres of additional impervious surface area if this highway widening project were to go forward. The additional runoff can contribute to flooding problems for the Missouri River. The DEIS mentions that mitigation systems do exist but their exploration is proposed to be conducted during the roadway design process.

17) The DEIS appreciates that connectivity and community cohesion are good things. It states that “the reasonable alternative would enhance movement and connectivity across the Missouri River.” (S-10) Unfortunately, the DEIS’ definition of connectivity is something akin to larger numbers of motor vehicles traveling faster. It is likely that most other people think of “connectivity” as something to do with a connected network of streets, sidewalks, and trails that link people, neighborhoods, and districts together. Connectivity connotes bringing people closer together, which is the opposite of spreading them out in tract housing with the aid of highway widening projects.

The DEIS starts off its summary section on neighborhood and community cohesion by stating that “The Preferred Alternative would improve neighborhood and community cohesion. (S-12) It is difficult to comment about a statement like this when the “Preferred Alternative” being referenced is a proposed interstate highway widening project, bringing tens of thousands more motor vehicles through the neighborhoods and community at higher speeds. It just does not seem plausible,

that both neighborhood and community cohesion would increase as a result of this project. It also does not seem plausible given the statements in the DEIS about the “disruption of neighborhoods and businesses,” more noise, etc.

15CC 18) In the DEIS’ benefits to cost ratio, the benefits include reduced travel times, reduced operating costs, and lower collision costs. The MPO’s model forecasted that motor vehicle users will save motor vehicle users time if the highway widening project were built. The DEIS suggests that the time motorists save could be used for more “productive activities” (IV-28) and that this time is worth \$11.94 per hour according to an analysis based on the Guidebook for assessing the Social and Economic Effects of transportation Projects by the Transportation Research Board in Washington, D.C. The savings over a few decades were estimated by the DEIS to add up to a staggering \$1.2 billion to \$1.3 billion. However, this is not really money. Nobody gets this money and nobody loses this money. Nobody works more hours to earn this money. This money does not exist. It cannot be spent. This is only theoretical money that gives a value to motor vehicle users’ non-commuting time.

A theoretical value could also be given to other types of theoretical times on the cost side and then be included in the benefit to cost ratio. For example, the time that negatively affected residents play in their parks which have worse aesthetics and incrementally compromised settings due to

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 22

the widened highway and higher numbers of faster motor vehicles passing by. The added time it takes for pedestrians to walk the circuitous route to crossing points over or around the freeway, the time people spend listening to more tire and engine noise, etc. ought to have a value or cost too. On the other hand, the increased time residents, in newly sprawling areas, spend mowing lawns and washing cars could be considered a cost. The increased time that parents use to drive their children to "play-dates," school, and other activities could be considered in the benefit to cost ratio.

Interestingly, this highway widening project encourages people to move to the suburbs and live farther from their various destinations. The people become relatively car-dependant compared to their urban counterparts. Consequently, they spend more time in their cars for most trip purposes, some of which may not even involve them driving on the subject 4.7 miles of widened highway. The extra time that they use to drive to do their spread-out, daily, activities was not included in the costs for the Benefit-to-Cost ratio even though those costs are related to their choices about where they live and work, which, according to the DEIS, is related to the wider highway which "increases the percentage of the regional households" (IV-27) and developable land within a 30-minute commute. According to the Surface Transportation Policy Project, the average trip distance for errands has increased by 137% (i.e., more than doubled) between 1969 and 2000 as America suburbanized along its highways. This societal impact was not included in the benefit to cost ratio.

The DEIS' idea that this theoretically saved time from highway widening will be used for more "productive activities" is doubtful. Examples of such productive activities might include volunteer work or spending time with friends. These activities contribute to what is known as "social capital." Other productive uses of the saved time may be exercise time and meal preparation time. However, this saved time does not seem to be used for these productive uses. Social capital has been dropping, people are getting fatter, depression is increasing in young and old populations, and people preparing fewer meals at home. Maybe, people are using the saved time for watching TV shows sponsored by motor vehicle manufacturers, diet food manufactures, lawn chemical producers, or Wal-Mart? Maybe the commuters don't actually save time as suggested by the MPO's computer model. Perhaps they just drive even further, once they realize they have this windfall of saved time, past the convenience store and regular grocery store to get a deal on milk at the big box. Or maybe the idea that society should assign a theoretical monetary value to the unused time on the highway of motor vehicle users, predominantly residing in the sprawling suburbs, is just a weak theory that is used to justify an otherwise unjustifiable highway widening project with a complicated-looking equation.

The benefits and costs likely assumed a static set of land use assumptions for the various scenarios for a fair comparison. However, it is highly likely that the land use scenario would differ if the highway were not widened to eight lanes. It is

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 23



likely that a lot of money would not be spent on the highway and maintaining the highway, which would reduce the cost in the benefit cost ratio. That money and effort could be spent increasing densities, beautifying parks, building non-car transportation facilities, developing infill and affordable housing, investing in schools, implementing safety modifications, etc. Consequently, the Benefit-to-Cost ratio using the No Build as the base is incomplete and naïve and is likely to mislead many readers of the DEIS. Nobody would ever do the No Build and there are likely several scenarios that would out-benefit the wider highway strategies and cost less money. Unfortunately, these alternatives did not meet the "purpose" of the project, according to the DEIS, which was to widen the highway, so they were dropped by the DEIS. Consequently, there was no a fair comparison.

The DEIS states that the daily number of motor vehicles crossing the bridge in 2005 was "94,468." (I-13) The DEIS also states that "the current travel demand exceeds capacity in the I-29/35 Corridor." (I-13) This would imply that there is latent demand out there that would fill up any available new motor vehicle carrying capacity. Despite that, the DEIS also states that the No Build alternative will carry slightly more motor vehicles per day than is currently being carried. Table 11-6 indicates 100,000 motor vehicles by 2030 on the No Build. Regardless, the reader gets the idea that this is a really busy road. Yet, somehow, life went on for four months while the Paseo Bridge was literally closed in 2005 for repairs. For

four months, zero lanes were open and zero motorists crossed the bridge. It is likely that several insights into the widening debate can be gained from this very recent experience. What were the transit effects, what happened to motor vehicle use, what were the affects on the neighborhoods' with the bridge traffic removed from the highway, etc? How much money did the programs cost to help people travel without the bridge? Who paid for the programs? What transit routes were most successful? Could those programs be increased and made even more effective if they were permanent? Would all or just a portion of a quarter of a billion dollars be needed to run these programs?

The highest forecast for motor vehicle use over the bridge is for the eight-lane situation in the year 2030 which is 140,000 motor vehicles per day. In other words, there might be 40,000 more motor vehicles per day crossing the Missouri River, when compared to the No Build, 24 years from now. If no additional lanes were built, what would really happen to the difference of 40,000 motor vehicle trips per day, which is equivalent to 29% of the model's theoretical total 140,000 motor vehicle trips per day? Some of the motor vehicle trips would stay as latent demand, some would manifest themselves as non-motorized vehicle modes or transit, and some would use other routes. Shifting tens of thousands of trips was proven to be possible via the MPO's computer model for the No-Build Scenario, although, according to the DEIS, the results did not accommodate the perceptions of motor vehicle users ("LOS") adequately.

Glattig Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 24



Therefore, assume that nobody agrees with the No-Build, but agrees to explore some combination of land use reform, incentives, transit changes, tax changes, transit changes, bicycle network and pedestrian network changes, promotion, etc. The burning question would be, "Would such a coordinated effort by every level of government, with interagency-coordination and cooperation be able to avoid the creation of, or otherwise accommodate, 29% of the potential motor vehicle use, with 24 years to do it?" Obviously, the answer is "yes" and likely a whole lot more could be accomplished at the same time, environmentally, socially, and economically. However, this would require some vision and leadership which was absent in the DEIS' strategy. As recently as 2005, 100% of the 94,468 motor vehicle trips/day was affected without the benefits of 24 years of preparation, coordination, reform, etc.

If such a scenario were allowed to be prepared through some leadership and coordination by the MoDOT, then the benefit to cost ratio would likely look extremely favorably on a sustainable scenario.

The unused travel time of a motorist seems like a "saving" that would be a personal gain. Similarly, the real time that a motorist uses to travel seems like a personal "cost" because, after all, it's their time. However, the aggregate of all the motor vehicle users' unused travel time has a theoretical monetary value that is worthy of inclusion in the benefit to cost ratio for a public infrastructure project, according to the DEIS. By extension, it might be

logical to include the costs of other things that would be incurred by motorists. For example, who would pay for the surface or structured parking spaces associated with the additional 40,000 motor vehicle trips? We are now talking about real money here; \$5,000 to \$25,000 (or whatever the going rate is locally) for each space plus maintenance, etc. This is a personal cost or a semi-personal cost (often motor vehicle parking is subsidized by the public or businesses) that has value too. If someone's time has value in the benefit to cost ratio, surely out of pocket expenses like parking should be included too. Furthermore, the cost of bus passes for people who do not own motor vehicles should be included as well, as should the maintenance costs for their bicycles, such as new tires, and oil for the chain, as well as new or resoled shoes for pedestrians. To be fair to all street users, maintenance costs of personal motor vehicles should be included too, like their new tires, oil changes, etc. Surprise, the motor vehicle users costs are included as part of benefit to cost ratio and are part of the "operating costs" in the DEIS which clearly shows favoritism of motor vehicles users over other users in the DEIS. Furthermore, the cost of the air pollution, related hospital visits, and reduction in quality of life were not included in the benefit to cost ratio.

Many streets, near the highway widening project, will be more congested as a result of the highway widening project because the highway will either deliver more motor vehicles to them or attract more motor vehicles to them. Why are the costs of that congestion not included? According to the DEIS, collision numbers grow with

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 25

increases in motor vehicle use. Therefore, more collisions will occur on the more congested streets near the highway widening. What about the increased maintenance costs of these streets due to increased wear? These costs are being increased beyond the project limits but they are not being accounted for.

Furthermore, what are the costs of the new schools, utilities, etc. that go hand in hand with sprawl? What are the inefficiency costs of increasingly underused schools and other infrastructure as the city sprawls further out? What are the increased costs of health care with another generation of car-dependant people who are less active through car-oriented and sprawl-oriented transportation planning? What are the marginal costs of the environmental consequences of highway widenings and the associated sprawl? Why are these costs being ignored in the benefit to cost ratio?

If the "E" in DEIS really stands for "Environmental" shouldn't the DEIS be concerned about the environment broadly and shouldn't the DEIS be less selective about the costs that it uses?

15DD

19) In simple theoretical terms, streets provide two functions for motor vehicle uses; "access" and "mobility." There are different types of streets that achieve these functions to differing degrees. Local streets provide high levels of "access" because motor vehicle users can directly access property via driveways and on-street parking. Maximum "access" is achieved on local streets that are part of a

connected network of streets and have slow speeds, two-way streets, and parking on both sides. At the other end of the spectrum, there are interstates which provide high speeds over long distances with few interchanges, resulting in high levels of "mobility." Different street types cannot do everything well so there are tradeoffs depending on the context and the resulting choice of street type. Local streets, for example, provide low levels of "mobility" while interstates provide no "access." In between local streets and interstates, there are arterial streets which provide medium levels of access and mobility. Similarly, collector streets fall in the spectrum between local streets and arterial streets, and highways fall in the spectrum between arterial streets and interstates.

The design of streets can be altered to make them more access-oriented and less mobility-oriented or the other way around depending on context. For example, the installation of a center Jersey barrier, to block left turns, would make the street more mobility-oriented and reduce access.

To understand this DEIS and the implications of its recommendations, the concepts of access and mobility need to be discussed at a city-scale. Fundamentally, we need to ask ourselves, "Why do cities exist?" From a transportation perspective, one could argue that cities exist to minimize travel, to foster a place where people come together for purposes of exchange; the exchange of goods and services, social contact, labor, justice, entertainment, and so on. Exchange is very related to access. People need to be

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 26



able to access each other in order for exchange to occur. This manifests itself in access-oriented urban design involving block-size, a connected network of streets, buildings placed up to the streets, walkability, etc. Of all the parts of a city, the central business district is the place in which economic and social exchange is most important and, therefore, access is most important to maximize exchange. And, within the CBD, the main street and is where exchange should be maximized.

Assume for this discussion, that there are two types of physical exchange between people; "planned exchanges" and "unplanned exchanges". An example of a planned exchange would be purchasing a bottle of sunscreen at the drug store. A person would drive to the drug store, pick up the sunscreen, and drive home. A single planned exchange would be accomplished.

Assume now that the person was in a walkable city. On the walk to and from the drug store, one might chat with a neighbor, wave to the butcher across the street, watch some kids play ball on the green, say "hello" to another pedestrian or two, pop into a gift shop to buy a gift for a friend, ponder a piece of public art, watch the construction person repair a wall. Now, one planned exchange has been accomplished as well as seven unplanned exchanges. An argument could be made that the quality of the city, CBD, or main street is related to the sum of its unplanned exchanges.

The pursuit of mobility is anti-access because it attempts to speed up motor

vehicles, make two-way streets into one-way streets, removes on-street parking, block driveways, block left turns, increase trip lengths, and reduce walkability. It rewards longer distance trip-making at the expense of shorter trip-making. It promotes motor vehicle use, spreads cities out, reduces density, increases land consumption, and reduces exchanges of both types. Consequently, the pursuit of mobility is anti-city, anti-CBD, and anti-main street. The pursuit of access and exchange is pro-city.

The DEIS seems to use access and mobility interchangeably. For example, it states, "The proposed action will improve access to the CBD." (I-18) and "The CBD has good access from the freeway loop and radial freeways. However, operational and capacity issues previously discussed are affecting this access." What is more likely is that the freeway has terrible access due to its being a freeway and the access will worsen as changes make the freeway even more mobility-oriented.

The DEIS states, "Access to-and-from the Kansas City, Missouri CBD would be improved as a result of the increase in vehicle capacity." (IV-7) The DEIS then discussed ramp locations, but it is interesting that the sentence equates increases in "access" with "the increase in vehicle capacity." Access and motor vehicle carrying capacity are not the same.

According to the DEIS, some people seem to have their priorities leaning more toward the economic and social health of the CBD and not so much on maximizing motor vehicle carrying capacity. "Both these

Glattig Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 27



plans (the Downtown Land Use and Development Plan and the Downtown Corridor Development Strategy) support the idea of the downtown area as a destination with a primary focus on maintaining access to the CBD and less emphasis on moving traffic at high speed around the CBD Loop.” (I-18) Furthermore, “The plans also promote improving connectivity between the River Market area and the CBD by examining ways to reduce the barrier between these two areas resulting from 1-35/70 and the north side of the CBD Loop.” Somebody understands that connectivity, exchange, and access are all related.

The DEIS has a rather narrow view of making cities more economically successful. It feels that the CBD would not benefit economically unless motor vehicle lanes were added, which they state would “improve access.” (II-13) Furthermore, the DEIS claims that “there would not be a change in travel patterns” because the highway widening project would not change the location of access...” (IV-6) Yet two sentences later, the DEIS contradicts itself by stating that, “The access management elements of the build alternatives could impact access to adjacent properties...” This is transportation jargon which means that the highway project will reduce access to local properties in order to benefit longer trip-making, while increasing the circuitry and length of local trip-making, lowering property values and, most importantly, changing travel patterns. Furthermore, the DEIS stated earlier that the highway widening project will cause motorists to “use alternate routes”

primarily due to being able to “travel longer distances in a shorter amount of time.” (II-27) Having the widened highway cause motorists to reroute would further indicate that there, indeed, would be a change in travel patterns

The DEIS states that “Improvement in access to employment located within the CBD would be important to maintaining or increasing economic viability in this area.” (IV-27) This is actually a true statement because access is related to economic success. However, the DEIS equates an increase in access to the interstate widening project. Access will likely be lower with tens of thousands more motor vehicles per day using the streets, pressure to make more one-way streets, the specialization of non-interstate streets to move more motor vehicles. These things tend to lessen access and walkability, not increase them.

Therefore, as a result of the lower access and increased mobility, it is more likely that someone will move out of the City to the suburbs than the other way around, effectively postponing and stunting sustainable land use trends. People who reside in the City will inject far more money into the City than similar people who only work in the City. Consequently, making the City a better place to live through accessibility is a better strategy for economic development than making the streets faster for commuters.

The DEIS states that “The No-Build Alternative would not impact existing land use patterns.” However, land use patterns are changing slowly today, investment and

Glattig Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 28

developments are beginning to happen, the area is beginning to heal itself as best it can after first interstate damage, even though the potential of the CBD and the area around it are stunted by the interstates. If modifications to the highway network were made to emphasize access instead of mobility (i.e., the opposite of what is suggested in the DEIS), more people would move in, property values would rise, investment would follow, public transit would be advantaged, walking and cycling would be increased, and a variety of environmental benefits would occur.

15EE

20) There are many examples of highways going through cities. These are gaining the attention of urban designers at ever-increasing levels. Highways split cities even when they incorporate expensive grade-separation efforts. The physical presence of the highway, noise, break in the urban fabric, motor vehicle-oriented ramps, associated street closures, one-way frontage roads, etc. contribute to the barrier effect.

It should come as no surprise that cities are typically harmed along and across highway corridors. Highways violate the urban transect more than any other type of street; they are out of context. Cities and cut-through highways do not go well together because urban streets and highways are at odds regarding exchange. Highways are about limited access, high speeds, no pedestrians, and cities are about the opposite. Consequently, it should be expected that slum, blight, and decay typically accompany highways through cities. Lining highways with land uses that

match the highways' scale and motor vehicle-orientation is not always feasible nor desirable (i.e., big box development, industrial areas, large suburban shopping malls, stadiums, etc.)

There is a growing trend in cities in North America to undo sections of highways that cut through urban areas. Some of them are done willingly, like in Portland and Chattanooga, while others are courtesy of Mother Nature, as in San Francisco, while other highway conversions are anticipated in places like Seattle and Trenton. But, wherever these highways are removed and replaced, good things happen because the resulting streets are more in keeping with the context and the transect.

The DEIS states that, in the CBD Loop, "Closely spaced interchanges that lack sufficient merging, diverging and weaving distances can impede traffic flow." It seems that the CBD would benefit by a street-type that provided it with increased access. The DEIS statement above confirms that the choice of an interstate was the wrong choice of street-type for the context; a mobility facility trying to provide access is like a square peg in a round hole; they don't go well together. The interstate design was likely not a good idea from a context perspective when it was first built, but the City did not know better back then. Now the City has the opportunity to correct part of that mistake by doing something different than the recommendation in the DEIS or the City can exacerbate it with the recommended project in the DEIS.

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 29



The DEIS admitted that, "For the most part, each interchange location was studied independent of one another. With this approach the best or most reasonable improvements at each location could then be combined with the best mainline improvements to form the range of reasonable alternatives to be considered for the proposed action." (II-21) In good urban design efforts, it is normal to work from the general to the specific; from the vision to the design. This forces a discussion about the appropriateness of the fundamentals, before design time is wasted on specifics. The DEIS did things the other way; it assumed that the interstate was the best choice of street type for the context of the CBD and then it looked at specific intersections. It then aggregated the results. What is missing here is a bigger picture, a publicly endorsed vision. What does the CBD really want to be like in 25 years, 50 years, or 100 years? Once the vision is figured out, then it becomes the litmus test for big urban design moves. If a proposed change contributes to the vision, then it gets support and, if does not contribute to the vision, then it gets no support. Then the question can be asked, "Does the DEIS' highway widening solution help achieve the vision or not?"

To create a better downtown, it is really important to understand the vision and then critically look at the street networks, different street types and designs, the relationship of the land uses to the street, etc., and then support the vision with every project, policy, and program. The highway widening project discussed in the DEIS is a really big urban design move and it needs to be revisited at a fundamental level to

contribute to a sustainable vision of the CBD. Perhaps this project might be big enough to create a tipping point for how the area does transportation and land use planning so that the CBD can reach its potential. Perhaps, the area will pursue a context-sensitive vision-based future, integrating transportation and land use, instead of the current functional classification-driven system for roads and a separate system for land use.

15FF 21) The City of North Kansas City has several "goals and strategies" (III-3) some of which include:

- i) "maintaining or improving pedestrian connections to civic and cultural amenities" (for The Avenues);
- ii) "retain the existing residential character...provide pedestrian and bicycle connections" (for Sunny Hill);
- iii) "enhance the image of the commercial area" (for River Forest);
- iv) "plan for redevelopment and urban design concepts, including elimination of blight and creation of an aesthetically pleasing gateway or landmark" (for Railroad Avenue Area);
- v) "create activity nodes and maintain and enhance opportunities for connections among several modes of transportation" (for Amour Road).

The City of Kansas City adopted a city-wide master plan "to guide the future of the City for the next 25 years." (III-4) Its strategy calls for "revitalizing or sustaining neighborhoods, for preserving landmarks and historic/archeological resources, and for revitalizing the urban core." It promotes a "24-7 mixed use environment

Glattig Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 30



in the CBD Loop including the expansion of nighttime activities and residential facilities.” It also notes that several older commercial buildings have been, or are currently being converted to residential units both north and south of the CBD Loop.”

The above are the sorts of goals, objectives, discussion, and thinking that needs to be encouraged in the area, and then reflected in the plans and projects. As projects are implemented, the area will increasingly experience more exchanges and, if the design bar were raised adequately high, walkability will exist and the area will have plenty of unplanned exchanges as well.

The public seemed to have the right ideas with regard to the project, including:

- i) a “fiscally responsible solution”
- ii) “transit”
- iii) “pedestrian access”
- iv) revisiting the number of motor vehicle lanes
- v) re-use and preservation of the Paseo Bridge; and
- vi) questioning the study process. (V-5)

The DEIS states that “Early and ongoing engagement ... is a project priority.” (V-6) It is impossible to determine by the DEIS if engagement was actually early or not, but if it was early, it did not seem to make much difference. It seems that the decision to build a wide highway seems to have been made early while other important discussions and decisions have been postponed. They have been postponed behind the cloak of the design-build process. This process effectively segments

the public process, with the objective of getting incremental buy-in, when, in reality, the outcome of the last increment will determine if the early increments are acceptable. For example, the public should know about the demolition of the historic bridge before it accepts or rejects any of the contents of the DEIS.

**15GG** 22) The DEIS states that “The purpose of the proposed project is to add vehicular capacity and improve safety consistent with best design practices.” This sentence has three main parts. The first part “The purpose of the proposed project is to add vehicular capacity” has been discussed already and basically eliminated the more sustainable options almost by definition. The second part “... and improve safety ...” is a great purpose, but the DEIS neglects to suggest viable alternatives that increase safety by designs that have lower, more context-sensitive, and safer speeds, nor does the DEIS include safety impacts immediately off the 4.7-mile section. But the third part “... consistent with best design practices.” deserves comment. “Best design practices” does not mean “up to interstate standards.” Best design practices include involving stakeholders in a meaningful way on the design. It means allowing the context to influence the design. It means to align the design with environmental responsibility and sustainability. Consequently, putting the three parts back together again, it seems that the DEIS’ statement of purpose and need was flawed and it failed to fulfill its purpose and need.

Glattig Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 31

The DEIS states that “The solutions proposed in this EIS are intended to represent the “worst-case” yet reasonable scenario ... offering a footprint within any number of reasonable options might be proposed.” (II-46) There is general agreement about the “worst-case scenario” particularly as it pertains to the eight lanes, the proposed design-build process, urban design, and the health of the CBD. Furthermore, the assumption that the impacts are limited to a footprint is incorrect as has been discussed in a number of sections. Furthermore, it does not make sense for the public to agree to a nebulous worst case scenario; the public deserves better.

Regardless, something has to happen at the bridge. If the existing historic bridge is not rehabilitated and, instead, it is destroyed, then there needs to be compelling reasons and tremendous mitigation. This seems to be an important part of the worst-case scenario and it was brushed over in the DEIS. The DEIS process and the proposed design-build process cannot be trusted to preserve the historic bridge or replace it with an acceptable design.

15HH

23) If decision makers feel that wealthier, whiter, people should be allowed to sprawl further, become more car-dependent, and harm darker, less-wealthy, people and harm inner parts of the city, and cost a lot of money to build and maintain bigger highways, then the highway widening project makes sense. If the decision-makers feel otherwise (i.e., highway widenings, motor vehicle dependence, and sprawl are negative things from an

environmental perspective), then the highway widening project is a bad thing and should not go forward. What is puzzling is how this DEIS was twisted to actually claim that the highway widening project was environmentally acceptable.

15II 24) Based on the DEIS, the following is recommended:

- i) Reject the broad conclusions and recommendation in the DEIS. The area deserves better.
- ii) Accept the idea that solving large transportation issues involve land use and cooperative efforts.
- iii) Develop one or more feasible, equitable, sustainable, multi-modal, and environmentally responsible courses of action.
- iv) Separate out the rehabilitation of the bridge as its own project if need be.
- v) Do not allow a design-build process to be used to postpone timely discussions and avoid a proper environmental review. Find a more appropriate project for a design-build process (e.g., a sewer project, MoDOT maintenance building, etc.)
- vi) Begin context-sensitive design training for local officials and professionals.
- vii) Develop and pass a transportation language policy that forbids the use of subjective terms to be substituted for what should be objective terms. Require all public documents, correspondence, and discussions to use objective language, and

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 32

require consultants who work on public projects to do the same. Just like the women's movement that removed gender-bias from the language, removing the motor vehicle-biased language will help people be more objective and be perceived as more objective. Over time, the culture will change and better policies and projects will result.

viii) Begin the transportation and land use study (i.e., real urban design) to undo the damage that the original freeway did, and is doing, to the community (e.g., replace the north loop with a context-sensitive street-type, lower design speeds, and solve the safety issues in a context-sensitive manner) and involve the stakeholders and public in a meaningful way.

ix) Raise the bar on sustainability and multi-modal solutions by not allowing important issues to be swept aside like the DEIS does: "No adverse impact to transit systems is expected ... because transit access would remain the same ... for the build alternatives. The existing transit routes maintained by others would be accommodated as they are today." (IV-16)

x) Raise the importance of aesthetics.

xi) Do all of the above to be consistent with a publicly-developed and endorsed vision for the area and the CBD. Focus on creating a "great place" and that will inform the land use and transportation direction.

---

Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.  
Page 33





May 22, 2006

I-29/I-35 EIS and Location Study  
c/o HNTB  
1715 Kirk Drive  
Kansas City, Missouri 64105

Dear Sir or Madam:

This letter is in response to the request for comments on the Environmental Impact Study related to the I-29/I-35 proposed improvements as well as those in the Broadway corridor, the Heart of America corridor and the north side of the downtown loop.

#### **Introduction**

This letter is being provided by the River Crossing Committee, which is a combined committee of both the **Greater Kansas City Chamber of Commerce** and the **Northland Regional Chamber of Commerce**. Approximately ten years ago, the two chambers agreed that improvements to the river crossing should be the number one joint priority of both chambers and as a result, signed a written compact that created the River Crossing Committee to champion this expanded crossing. Since that date, the River Crossing Committee has been meeting on approximately a monthly basis in the attempt to promote the River Crossing. The Committee has about thirty members who regularly attend its meetings and many more who attend occasionally. One of the initial co-chairs of this Committee was Reverend Emanuel Cleaver (prior to his election to Congress).

Over the last ten years, the river crossing has been through a number of lean times where little progress was being made on enhancing the crossings. As all are aware, MODOT's lack of sufficient funding in those years has caused many delays in progress between the completion of the Northland/Downtown MIS study and this EIS study. Recently because of the passage of Amendment 3, progress is again being made and we are happy to support the activities and the general conclusions described in this EIS study. The Committee is very encouraged about the widening of the Paseo corridor. These improvements are very needed and necessary as soon as practicable.

In 1969 certain improvements were made in southern Kansas City to the I-435 corridor mostly in Kansas. At that time, because of the great congestion along I-35 into downtown, a number of businesses moved their locations south to the Kansas I-35/I-435 corridor. The

634 NW Englewood Road • Kansas City, MO 64118 • (816) 455-9911 • Fax (816) 455-9933 • [www.northlandchamber.com](http://www.northlandchamber.com)

HNTB  
Re: I-29/I-35 EIS and Location Study  
May 18, 2006  
Page 2

executives of those businesses felt that because of the time involved to travel to the downtown area, it was simply more convenient for them to relocate their businesses out of the downtown loop.

As a result, much of the downtown loop has gone through a recession. Businesses have closed or relocated and they are only now relocating back into the downtown loop. The recent growth of the Northland, has permitted and accelerated the renewal of the downtown loop. There is a great synergy between the executive housing in the Northland and the resurgence and reinvigoration of that downtown loop area. However, congestion is burgeoning again on the bridge crossings which could cause same results to those that occurred in 1969. Both the Paseo and Broadway Bridges can not handle the traffic that is on them today, let alone the traffic that is projected for five or ten years in the future. Therefore, enhancements to the Paseo bridge, the Broadway corridor, the Heart of America bridge and the north side of the downtown loop as are contemplated by the EIS study are absolutely necessary to be accomplished in the shortest reasonable time in order to continue the restoration of the downtown loop.

The River Crossing Committee has worked with the staff of MODOT, HNTB (its consultant), the committee members, as well as members of Congress (including Senator Kit Bond, Senator Jim Talent, Congressman Sam Graves and Congressman Emanuel Cleaver) to make this river crossing a reality. We are extremely grateful and appreciative of the additional \$50 million which Senator Bond had obtained for this bridge. Senator Bond understands the necessity for these improvements. This means that the \$195 million budget which MODOT was previously contemplating is now \$245 million. This funding is absolutely essential to replace the deteriorating bridge infrastructure, improve the interchanges, assist traffic safety, provide interstate linkages and most importantly, permit additional vehicle capacity and traffic operation between the Northland and the central business district.

The fact that the Paseo Bridge corridor carries approximately 40 percent of its traffic on an interstate or non-local basis is very significant. Because of this non-commuter traffic the Paseo Bridge traffic has heavy congestion at all times of the day and not just at peak times.

It is the River Crossing Committee's conclusion that ultimately eight lanes are required from the "I-29/I-35 split" just north of the Parvin Road intersection traveling south through and including the interchanges necessary to handle eight lanes of traffic on the downtown loop, as well as those improvements on the downtown loop itself (including those to the Heart of America Bridge and the Broadway Bridge flyover/corridor enhancements). While funding for all those is not likely available at this time, it is essential that the funded improvements include ROW and the ability for expansion from the contemplated six lanes to the potential and planned eight lanes (i.e. that the bridge structure and corridor be "sized" for eight lanes even if those eight lanes are not constructed with this funding). Ultimately, an eight lane corridor together with downtown loop improvements to carry the projected and actual traffic load are necessary to be constructed in the shortest reasonable time.



HNTB  
Re: I-29/I-35 EIS and Location Study  
May 18, 2006  
Page 3

### Concerns

The Committee has a number of concerns about the more specific aspects of implementing the broad concerns and solutions described in the study. In order for this bridge to be the significant benefit to the community that it should be, a number of aspects, concerns or changes will need to be accomplished or made to the specific implementation methodologies in the draft EIS. These aspects/concerns include the following:

1. **Signature Bridge.** The final result absolutely must create a signature structure. The community requires something to be proud of. Past actions (e.g. tolls) separating the Northland from the rest of the city need to be eliminated and the signature aspect of this bridge will be the single most important part of those actions. Further, Senator Bond provided the additional \$50 Million for the purpose of constructing a "...world-class bridge...." *The Kansas City Star July 27, 2005*. I was there, standing by the side of Senator Kit Bond when he announced that he had obtained the additional \$50 Million, and listened to his clear passion and support for Kansas City, its citizens and the "signature" aspect of this bridge. Senator Bond heard and responded to the need in an outstanding fashion with an unexcelled commitment. MODOT must be true to that commitment.
2. **Closure Time.** The closing of the bridge and corridor for a significant time could have a devastating effect on the downtown loop. At the present time there are over 90,000 cars a day that traverse the present bridge. If each of those cars is delayed for a period of thirty minutes, the cost of such delay for one year alone will exceed the entire projected cost of the project. As an example, if one assumes that 90,000 cars a day for 260 work days a year, and that the average user will have a thirty minute delay, this amounts to an additional travel time for those travelers of 11,700,000 additional hours a year. If one attaches only an average of \$25 dollars an hour to the value of each traveler's time (much less than the value of many of the professionals traversing the corridor, much less than the average union rate for a typical truck driver, this assumes that each vehicle will only have one occupant and there will be no travelers on non-work days) the value in one year of that delayed time is \$292,500,000. This is a value far in excess of the entire cost of the project itself. Further if one assumes that because of a half hour delay of running through traffic there is an additional one-half gallon of gasoline expended and if one assumes that gasoline costs \$2.50 a gallon, the gasoline cost for one year alone is \$29 million. These thoughts demonstrate that closure should be minimized. Further, if only three to five businesses move out of the CBD because of the closing or slow commuter times, it could have an equally devastating effect.

The Paseo Bridge and corridor now carries almost as much traffic as the other two major bridges combined. The additional lanes are essential to the well being of the entire Kansas City metropolitan area. The necessity for the improvement of this crossing cannot be understated. Industrial traffic, commercial traffic, as well as commuter traffic utilizes principally the Paseo



HNTB  
Re: I-29/I-35 EIS and Location Study  
May 18, 2006  
Page 4

Bridge and corridor. The construction of the considered improvements in the shortest possible time is essential.

- 16C 3. **Constituent Concerns.** The next concern emanates from the various constituencies comprising our joint committee. Our committee contains representatives from the Cities of North Kansas City, Gladstone, Kansas City, Missouri, the Downtown Council, the Civic Council and numerous other groups in addition to the two Chambers. We have occasional participation from the Columbus Park Neighborhood, from bicycle proponents and others. Commuter traffic as well as non-commuter traffic needs to be accommodated to the maximum degrees between the Northland and the downtown loop. Some of our constituents, such as the City of North Kansas City and the Downtown Council are providing you with their comments. We feel that those entities best know how to configure the streets within their areas. While we agree with their conclusions that full interchanges along both Taney and Ozark Streets at Highway 210 are very necessary, the exact configuration for those intersections, as well as those at Bedford or the Loop Road are best handled by them and we support their conclusions.

Somewhere in the improvements contemplated for the EIS corridor (including Paseo corridor, Broadway corridor, the north side of the loop and the Heart of America bridge corridor), there needs to be consideration for a bike-ped crossing. We understand that the City of North Kansas City is ready to build a rest stop and assembly area near the Heart of America bridge. The Committee also feels that a safe alternative route for non-motorized traffic on a route other than the Paseo corridor is best. Perhaps after consideration of the offer from the City of North Kansas City, the Heart of America option will be considered best.

- 16D 4. **Heart of America Bridge.** Certain potential changes to the Heart of America Bridge crossing are included in the EIS as proposed improvements, even though they are not to be funded at this time. Most of these improvements are necessary right away. Some of these are excellent suggestions and some of these are problematic. A number of the changes to the north side of the downtown loop are excellent. However, two proposed changes raise very serious concerns. One of these concerns is the elimination of the "fly over" for those travelers traveling east bound on the north side of the loop and wishing to utilize the Heart of America Bridge. Currently there is a "fly over" where vehicles can exit the north side of the I-70 downtown loop and without stopping traverse onto the Heart of America Bridge. The suggested proposals are that those travelers would exit the I-70 loop, be required to travel through two sets of traffic signals, including a left turn, then travel through a third traffic signal on the south side of the loop before actually arriving on the northbound lanes of the bridge. Those proposed changes are simply unacceptable. Traffic needs to be allowed to exit the loop and access the bridge without stopping.

Another change to this bridge/corridor is also needed. A number of years ago, because of difficulties with weaves, access to the Heart of America Bridge from the east side of the downtown loop, along I-70 was eliminated. Now in order to access the bridge headed north from

HNTB  
Re: I-29/I-35 EIS and Location Study  
May 18, 2006  
Page 5

the east side of the downtown loop, one is required to exit the Interstate system, make a number of left and right turns, travel a number of blocks along several city streets, traffic lights, and almost a mile of roads that were not built or constructed for such traffic. Access to the bridge via a reasonable weave from the east side of the loop, again without a stop, is absolutely essential. The improvements do not contemplate such an access but one is necessary.

If these suggestions are not implemented, then traffic on the Heart of America Bridge will be reduced, further increasing traffic on the Paseo.

- 16E 5. **Broadway Flyover.** Not discussed in great detail, but included in the EIS, are the elements of the Broadway flyover. These improvements are almost as necessary as those to the Paseo Bridge. Currently forty percent of the traffic traveling southbound on the Broadway Bridge exits onto I-35 via the right turn and traffic signal that is there. If improvements can be made to the bridge and its exit ramp such that that traffic does not have to stop then the southbound lanes of the Broadway Bridge will increase their ability to handle traffic by 20 to 40 percent. The same is true for northbound traffic traveling along the west side of the loop to exit I-35/I-70 and to access the Broadway Bridge northbound. Currently one traffic signal on a single point interchange is contemplated. If a fly over without requiring a stop could be constructed, again, the amount of traffic that that bridge would carry would be substantially increased, thereby permitting better traffic patterns and reducing traffic delays, allowing some of the further improvements that might be otherwise contemplated within this general corridor to be forestalled for a few years.

#### **Conclusion**

We wish to compliment MODOT for its willingness and participation in innovative methods (specifically the design build process) to get these improvements constructed as quickly as possible. The utilization of design build is an innovative process that should save a significant amount of time. At that same time, the choice of leaving most of the detail to the design build team also leaves the public in the position of attempting to respond to requested public comment without having much in the way of detail to comment on. Leaving this detail for comment to the time when the design build team has finished their proposals and the selected team is chosen, also potentially requires change orders to accommodate changes necessitated by the public comment received at that time. This portion of the process leaves much to be desired. While saving time, concerns of the community need to be considered as well as constructing an outstanding landmark bridge. Senator Bond has provided the additional funding for the purpose of permitting Kansas City to construct a bridge of which all its citizens could be proud. While there is the need to shorten the time involved through the use of the design build process, eliminating or ignoring community concerns, or saving time by not constructing a landmark bridge that permits great amounts of increased traffic flow is simply not an acceptable conclusion.

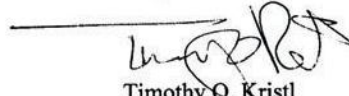
HNTB  
Re: I-29/I-35 EIS and Location Study  
May 18, 2006  
Page 6

Recently MODOT has worked with and arranged for the appointment of an advisory committee. That advisory committee needs to be provided substantial authority, allowed the opportunity to give substantial input and comment on the entire process, beginning with the RFP proposals, RFP responses, documentation, the selection of the design build team, and carry it forward through the entire design build process. We commend MODOT on the use of the advisory committee but express concern on whether that advisory committee will be provided sufficient authority and information with which to do its job. **The role of that committee is absolutely essential to the perceived success of the project in the eyes of the community.**

The River Crossing Committee requests that the Record of the Decision be provided immediately.

We thank you for the opportunity to provide comments to the I-29/I-35 EIS and location study.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Timothy Q. Kristl', is written over a horizontal line.

Timothy Q. Kristl  
Chairman  
River Crossing Committee  
The Greater Kansas City Chamber of Commerce  
Northland Regional Chamber of Commerce



**From:** Ron McLinden [mailto:ronmclinden@yahoo.com]  
**Sent:** Monday, May 22, 2006 2:52 PM  
**To:** I29-I35 EIS  
**Cc:** elizabeth.wright@modot.mo.gov; david warm  
**Subject:** Sierra Club Comments on DEIS for the I-29/I-35 (Paseo Bridge) Highway Corridor

To Whom it may concern:

The Sierra Club, through its Ozark (Missouri) Chapter, is pleased to offer these comments on a Draft Environmental Impact Statement for a segment of the I-29/I-35 highway corridor in Clay and Jackson Counties, Missouri.

This DEIS has evolved out of the Northland~Downtown Major Investment Study that was begun about 1998 and completed in 2002. That study was multi-modal in nature, and included recommendations for significant improvements in public transit, including light rail.

Much has changed since then.

- Kansas City voters defeated a proposed light rail system that would have served the Northland~Downtown corridor.
- Gasoline prices have more than doubled, and can be expected to continue upward in the future as growing global demand for energy outpaces supply.
- Global warming is very much in the public consciousness, and Kansas City Mayor Kay Barnes has announced (in her May 18, 2006, State of the City Address) that the City will launch a Climate Protection Planning Process to implement her commitment to the Mayors Climate Protection Agreement.
- Meanwhile, a recent ranking of cities indicates that Kansas City is one of the least prepared to deal with an oil supply interruption among the nation's major metro areas.

[1] - Our fundamental concern is that this DEIS reflects an outmoded vision of the future.

The DEIS assumes a need for added highway capacity using traffic forecasts that are based on outdated or inadequate assumptions about the future. The world is quite different today than in 2002 when the NDMIS was completed. Among the most relevant differences is that the price of motor fuels has more than doubled in four short years ago, due largely to the fact that global demand for petroleum is growing rapidly relative to the production capacity of the world's oil fields: we are now approaching what is widely termed "peak oil," the highest rate of oil production that will ever be possible. All forms of energy will continue to rise in price as global demand rises relative to supply, and that will inevitably influence individual and household decisions regarding where to locate with respect to employment, how far to travel to obtain goods and services and gain access to other opportunities, and what travel mode choices to make.

Furthermore, the DEIS uses traffic forecasts that are based on a "trend" forecast of future land development in the region. In spite of our repeated pleas since 1990, the Kansas City region has still not addressed the problem of public and private costs inherent in its low-density character – has still not formulated and evaluated an alternate regional development scenario that would make more efficient use of public and private resources for transportation and other infrastructure, and for ongoing public and private "operating expenses."

**17A Question 1: How can this DEIS be valid when it is based on outmoded expectations about the future and, in essence, closes its eyes to broader issues – such as future resource constraints and global warming – that so clearly indicate a need to change the way we develop our region to be more resource efficient?**

[2] - The DEIS employs a definition of purpose and need that is narrowly focused on the "problem" of congestion, and only superficially on moving people and goods. Congestion is more the result of too many vehicles using a facility than too many people or too many goods being transported. Preoccupation with vehicle counts leads to a bias toward adding capacity – if not in the minds of the study team, then certainly in the shared "mind" of public expectations. If we consider just the movement of people, congestion can be reduced at much lower total cost if fewer people travel alone and more travel with others through carpools or public transit. Furthermore, congestion is a consequence of travel distances – a consequence of sprawl. Given the same number of trips in the region, the longer those trips are on average, the greater the degree to which trips converge or intersect one another, thereby competing for road space and creating "congestion." Congestion can be reduced if trip lengths, taken in the aggregate, are reduced.

**17B Question 2: How can this DEIS be valid when it considers "congestion" – expressed as vehicle counts – as a principal metric rather than a more outcome-based metric such as person trips?**

[3] - After demonstrating that other possible modal actions cannot adequately address the "congestion" problem, the DEIS identifies construction of added highway capacity as its preferred alternative. We suggest that the preferred alternative should be a comprehensive combination of strategies which, taken together, better serve the underlying transportation purpose of moving goods and providing access to opportunities for people.

**17C Question 3: How can this DEIS be valid if the project it supports fails to be comprehensive in nature, and instead favors the needs of one class of travelers over all others?**

[4] - After concluding that the alternative to be pursued is a highway project, the DEIS delineates a maximum project "footprint" and identifies environmental factors within that footprint. As is MoDOT's custom, the analysis is largely about avoiding environmental hazards or issues within the project area and less about addressing impacts of the project on areas outside that area. Traffic noise for nearby "receptors" is considered, but mitigation is limited to noise barriers. Little or no consideration is given to ways to actually reduce noise – e.g., through selection of pavement surface or enforcement of lower speed limits. Air emissions from traffic – both gaseous and particulate -- are largely overlooked, even though studies have documented the health consequences of living near a heavily traveled highway.

**17D Question 4: How can this DEIS be valid when it gives little consideration to environmental impacts beyond the project footprint (other than noise, with noise barriers as mitigation), and largely ignores the health effects of gaseous and particulate emissions on nearby residents?**

[5] - The DEIS largely overlooks the consequences of increased highway traffic on arterial streets. Increased traffic on this highway will invariably result in more traffic on every arterial street that has an interchange, and that increase will impair the ability of such arterials to serve local access functions as they have in the past. With higher levels of traffic at interchanges, the highway becomes an even greater barrier to local traffic – vehicular, transit, bicycle, and pedestrian – that wants only to get from one side of the highway to the other.

**17E Question 5: How can this DEIS be valid when it ignores or discounts the added “barrier effect” of adding capacity on this highway?**

[6] - The DEIS gives little or no consideration to non-capacity alternatives for improving the movement of people and goods. Alternatives might include such management techniques as tolling, access fees, congestion pricing, HOV priority, or even simple ramp metering to limit access during peak travel periods. (Tolls are not currently authorized in Missouri and would require legislative action, but it's important to know their potential in order to achieve a more effective allocation of transportation dollars.) This DEIS should at least acknowledge non-capacity alternatives.

**17F Question 6: How can this DEIS be valid when it gives little or no consideration to non-capacity strategies for improving the movement of people and goods?**

[7] - Finally, the range of issues that this DEIS leaves unresolved – location and character of river bridge(s), design of interchanges, provision for improved public transit, the nature and location of safe accommodations for non-motorized travelers, and even so basic an item as the number of lanes to be constructed – makes it impossible to judge whether this DEIS adequately addresses the resulting environmental impacts, especially those that affect adjoining communities. MoDOT promises to convene an advisory committee and to conduct further public input processes, but we are not aware that any environmental constituency is represented on that committee. Nor are we confident in the adequacy of MoDOT's proposed processes or the legitimacy of their outcome.

**17G Question 7: How can a Record of Decision regarding this DEIS be rendered when so many key decisions are still un-made?**

We ask that this DEIS not be approved in its current form, and that it be sent back to MoDOT for major revision to address the many concerns that we – along with other entities and individuals – are expressing.

Sincerely,

/s/ Ron McLinden  
Co-chair, Missouri Transportation Committee  
Ozark Chapter, Sierra Club



**CAPITOL OFFICE**  
State Capitol Room 110B  
201 West Capitol Avenue  
Jefferson City, MO 65101-6806  
Tele: 573-751-2689  
Fax: 573-526-0559  
E-Mail:  
mike.sutherland@house.mo.gov

**DISTRICT ADDRESS**  
24783 Twin Oaks Dr.  
Warrenton, MO 63383



**MISSOURI HOUSE OF REPRESENTATIVES**  
**MIKE SUTHERLAND**  
State Representative  
District 99

**COMMITTEES**

**Chairman:**  
Ways & Means

**Chairman:**  
Joint Committee on Tax Policy

**Member:**  
Budget  
Professional Registration  
Special Committee on Education  
Funding  
Appropriations – Health,  
Mental Health & Social Services

May 22, 2006

Ms. Betty Burry  
I-29/I-35 Draft EIS  
c/o HNTB  
715 Kirk Drive  
Kansas City, MO 64105

Dear Ms. Burry:

18 I am writing to encourage the inclusion of a bicycle and pedestrian lane/path in any plans for improvements to the Paseo Bridge in Kansas City. In the overall plan for the future we should encourage safe bicycle and foot traffic in our urban areas. As a legislator I have worked on issues to encourage safe pedestrian in and bicycle transportation. It not only benefits the state economically but it also greatly improves the quality of life for Missourians.

As you make plans for the Paseo Bridge please to not overlook this opportunity to make it easier and safer for pedestrians and bicyclists to travel throughout the area.

Thank you for you consideration concerning this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Sutherland", written over a horizontal line.

Representative Mike Sutherland



**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
REGION VII**

Gateway Tower II, Room 200  
400 State Avenue  
Kansas City, KS 66101-2406  
HUD Home Page: [www.hud.gov](http://www.hud.gov)

May 22, 2006

Ms. Peggy Casey  
Environmental Projects Engineer  
Federal Highway Administration  
3220 W. Edgewood, Ste. H  
Jefferson City, MO 65109

Mr. Kevin Keith  
Chief Engineer  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, MO 65102

Dear Ms. Casey and Mr. Keith:

**RE: Draft Environmental Impact Statement – Interstate 29/35 Paseo Bridge  
Corridor**

HUD appreciates the opportunity to comment on the subject study. Substantial HUD assistance is provided to numerous housing and community development projects located in and near the study corridor. Commitments proposed by Missouri Department of Transportation (MoDOT) in the Draft EIS are thoughtful and constitute positive measures to improve the project. In addition, HUD recommends that FHWA and MoDOT take into account the following comments in developing the Final EIS:

**19A**      Provision of Bicycle and Pedestrian Facilities

1. As currently proposed, the project only accommodates motorized traffic for the Missouri River crossing. The river crossing should include bicycle and pedestrian facilities. The DEIS notes (p. IV-17) that, in the North Loop subcorridor, the percent of occupied housing units where no vehicle is available ranges from 12 to 63 percent. Concentrations of low income and minority populations are also located in this subcorridor. Residents of HUD rental-assisted housing are commonly low income and/or minority persons for whom access to employment is significantly impacted by transportation costs. Energy-related costs for all modes of motorized transportation, including public transit, can be reasonably

expected to rise faster than the rate of inflation, and future energy costs will be borne disproportionately by low-income populations.

2. Improvements to bicycle and pedestrian facilities on the Heart of America Bridge should continue (per Commitment #17, p. S-20), but a project having the lifespan of a river bridge (e.g., 75-years) should not be restricted to only a single mode of travel. A project of this magnitude and longevity should include bicycle and pedestrian facilities to the maximum extent feasible and not relegated to other, future projects.
3. The Final EIS should evaluate redevelopment trends north and south of the river for evidence of the continuation of changes in land use that are increasing the supply of rental and owner occupied housing as well as retail commercial, office, cultural, and recreational uses. The Final EIS should evaluate the direct, indirect, and cumulative effects that increased modal choice, such as bicycle and pedestrian facilities, would have on current redevelopment trends, shifting land use patterns, and access to employment opportunities.
4. Commitment #16 (p. S-20) states that bicycle/pedestrian access at bridges and interchanges will be considered by MoDOT "where warranted by land use." The language within the quotation is subjective and should be deleted. The study does not describe how or by whom the relationship of land use to access would be made. More importantly, the study corridor is located in the most-dense, urbanized area of the metropolitan area and already presents a range of land uses – residential, industrial, office, commercial, institutional, and open space/recreational – that create opportunities for short trips which could easily be completed via non-motorized modes of transportation. AASHTO-compliant bicycle and pedestrian facilities should be provided at bridges and interchanges to the maximum extent feasible.

## 19B

### Noise Sites and Barriers

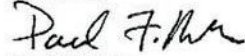
1. The DEIS does not provide an exhibit showing the location of the 122 noise modeling sites. The Final EIS should include this information as an exhibit, and the general public should be provided the information during and prior to final design.
2. The DEIS only analyzed noise abatement (i.e., barriers) at six locations. However, some noise model sites have elevated noise levels (in excess of 66 dB) and appear to be located in areas of mixed commercial/office/residential use. Without mapped noise model sites, as noted above, it is difficult for the reader to ascertain the extent to which residential or sensitive receptors may be impacted by noise. For example, field measurement site #FS-1 has a projected noise level of 70-72 dB and is located where there are mixed land uses, including residential. Additional noise abatement analysis should be conducted in locations where the land use includes residential uses.



3. HUD supports the construction of noise barriers as proposed in Exhibit IV-4 (barriers #2, #3, #4) to reduce noise impacts to HUD-assisted projects and other noise sensitive receptors in these locations.

HUD has commented on this project in the past and appreciates again the opportunity to provide additional comments.

Sincerely,



Paul F. Mohr  
Regional Environmental Officer

cc: Macie Houston, Regional Director  
Andrew Boeddecker, Director, Office of Public Housing

20

**RESOLUTION NO. 060564**

**Expressing the support of the Mayor and Council for the integration of multi-modal accommodations, including bicycle, pedestrian and public transit, into the design of the new Paseo Bridge and directing the City Clerk to distribute copies of this resolution to appropriate officials.**

**WHEREAS**, the Missouri Department of Transportation is in the planning stages for a new Paseo Bridge; and

**WHEREAS**, this new bridge is a special opportunity for the Kansas City area because the project is now funded and will be accomplished; and

**WHEREAS**, it is essential that the current and future needs of people be considered and integrated into the development of the new bridge; and

**WHEREAS**, no bridge in the Kansas City area provides safe bicycling or pedestrian access across the Missouri River; and

**WHEREAS**, every major bridge, planned or built, in Missouri in recent years has included bicycling and/or pedestrian access, these bridges including:

- Lexington (Highway 13)
- Boonville (Highway 40)
- Herman (Highway 19 planned)
- Washington (Highway 47 planned)
- St. Louis (Page Avenue)
- St. Louis (Chain of Rocks Bridge)
- St. Louis ( Eads Bridge - walkway)
- St. Louis ( McKinley Bridge bicycle lanes)
- Cape Girardeau (Emerson Bridge)
- Hannibal (I-72 Bridge)

**WHEREAS**, the St. Louis area has multiple bridges incorporating bicycling and pedestrian access across the Missouri River and Mississippi River, including:

- Page Avenue Bridge
- Chain of Rocks Bridge
- Eads Bridge
- McKinley Bridge
- Lewis and Clark Bridge
- Highway 360 Bridge

**WHEREAS**, inclusion of bicycle and pedestrian access has become the standard practice in the planning and construction of bridges similar to the new Paseo Bridge throughout the United States; and

**WHEREAS**, the importance of establishing bicycle, pedestrian and public transit access across the Missouri River for the current development and welfare of the Kansas City area cannot be overstated; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:**

**Section 1.** That the Mayor and Council strongly urge the Missouri Department of Transportation to incorporate into the planning and construction of the new Paseo Bridge bicycle, pedestrian and public transit access across the Missouri River.

**Section 2.** That the Mayor and Council direct the City Clerk to provide copies of this resolution to the following officials to reinforce the Mayor and Councils strong commitment to the development of appropriate and necessary bicycle, pedestrian and public transit access across the Missouri River as part of the new Paseo Bridge project:

Governor Matt Blunt  
Missouri Highways and Transportation Commission  
Commissioner Marjorie Schramm, Chair  
Commissioner James Anderson  
Commissioner Duane Michie  
Commissioner Bill McKenna  
Commissioner Michael Leo Kehoe  
Commissioner David Gach  
Pete Rahn, Director, Missouri Department of Transportation  
Kevin Keith, Chief Engineer, Missouri Department of Transportation  
Missouri Department of Transportation Community Advisory Group  
Ed Bradley, Platte County  
Michael Burke, City of Kansas City  
Mell Henderson, MARC  
Dick Holwick, Greater Kansas City Chamber of Commerce  
Tim Kristl, Northland Regional Chamber of Commerce  
Larry Larson, Clay County  
Ali Roohanirad, Jackson County  
Daniel Serda, Downtown Council  
Mike Smith, City of North Kansas City  
Mike Sturgeon, Columbus Park and Guinotte Manor Neighborhood Associations  
John Wagner, Sr., North Kansas City Business Council





## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

MAY 26 2006

ER 06/330

Mr. Allen Masuda  
Division Administrator  
Federal Highway Administration  
209 Adams Street  
Jefferson City, Missouri 65101

Dear Mr. Masuda:

As requested, the Department of the Interior (Department) has reviewed the draft Environmental Impact Statement (EIS) for **Reconstruction and Widening of Interstates 29/35 Paseo Bridge Corridor, Clay and Jackson Counties, Missouri**. The Federal Highway Administration (FHWA) and the Missouri Department of Transportation (MoDOT) prepared this document. The Department offers the following comments and recommendations for your consideration.

**21A Section 4(f) Comments**

The project proposes to reconstruct and widen Interstate 29/35 with new configurations of interchanges, roadways, and new bridges, including the bridge over the Missouri River in Clay and Jackson Counties. The MoDOT and the FHWA are proposing options for the existing I-29/35 Paseo Bridge over the Missouri River, including the construction of a new companion bridge or replace the existing bridge with an entirely new structure or structures. The evaluation considers a single historic property which has been determined eligible under Section 4(f) of the Department of Transportation Act of 1966 (48 U.S.C. 1653(f)). The Paseo Bridge over the Missouri River is a self-anchored suspension bridge designed by Howard, Needles, Tammen, and Bergendoff, and was built by several local construction firms between 1952 and 1954 and opened August 13, 1954. The MoDOT determined, and the Missouri State Historic Preservation Officer (SHPO) concurred, that the Paseo Bridge was eligible for listing in the National Register of Historic Places under Criterion C in the area of engineering.

The Department concurs with the use of the programmatic Section 4(f) Evaluation for historic bridges. The FHWA and the MoDOT have demonstrated through the draft Memorandum of Agreement with the SHPO that all possible measures to minimize harm to an eligible property have been considered. We would have no further comment on this project unless conditions change.

Mr. Allen Masuda

2

## **21B Environmental Impact Statement Comments**

The document adequately summarizes the fish and wildlife resources in the urbanized project area. Because the vast majority of the project area is heavily disturbed, there are few remaining fish and wildlife resources to be affected. However, we recommend the final document include a section on bridge demolition, should it be required, to adequately describe and evaluate effects from those alternatives that might involve such demolition.

A number of Missouri River bridges are being replaced as they reach obsolescence. In the process of reviewing the increasing number of these bridge replacements, we have learned more about the potential impacts of removing these bridges on fish and wildlife. To minimize the effects of bridge removal on fish and wildlife resources, we recommend the actions described in the two paragraphs below be implemented in association with any project alternative that involves the removal of the existing bridge:

A number of migratory birds nest underneath bridges, including such species as barn swallow and cliff swallow. Removal of the bridge during the nesting season can result in death or injury to adult and young birds, eggs, and nests. Measures should be implemented to avoid and minimize the impact of bridge removal on nesting birds. If an alternative is selected that requires demolition of the existing structure, we recommend that a survey be conducted to determine if nesting migratory birds are present and, if so, schedule demolition activities outside the nesting season (April 15 – August 1) to the maximum extent possible.

Bridge demolition has a negative impact on aquatic resources, primarily fish. The greatest potential effects are due to removal of the existing bridge piers using explosives. The blast(s) can result in fish mortality in the vicinity of the blast. The final document should address potential aquatic impacts from bridge removal and identify measures to minimize those effects. To assist you in evaluating these impacts for the Paseo Bridge, we recommend that you review information on the aquatic impacts and mitigation measures from other recent bridge projects on the Missouri and Mississippi Rivers.

## **21C Specific Comment**

Page IV-54, Section L.2 Groundwater Quality Impacts, first sentence.

The document states, "There are no public drinking wells or sole-source aquifers within the study corridor; therefore no effects to those types of groundwater supplies are anticipated." However, a public supply well is located as near as 1/2 mile from the study corridor centerline (page III-33, second full paragraph) in what is described as very permeable alluvium. In considering potential sources of contamination to the well, it is important to consider not just the location of the well itself, but the surrounding area from which the well draws its water – its "contributing area" – which could include the



Mr. Allen Masuda

3

study area. Therefore, the well could be more vulnerable to impacts from the highway, such as wash off of pollutants, than is implied in the draft EIS.

## 21D Endangered Species Act Comments

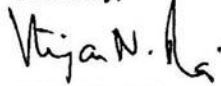
The document adequately describes federally listed species that may occur in the project area. Based on that information and the commitment to survey the corridor for nesting bald eagles immediately prior to construction, the Fish and Wildlife Service (FWS) concurs that the project is not likely to adversely affect the eagle.

The FWS has met with the MoDOT regarding project-related effects to the pallid sturgeon. During those conversations, the FWS recommended that surveys be conducted for pallid sturgeon immediately prior to and after, bridge demolition, should demolition be necessary. With continued pallid sturgeon research, there will likely be a number of fish (both pallid and shovelnose sturgeon) implanted with radio transmitters throughout the lower Missouri River. A sweep of the area prior to those activities could help identify whether any telemetered fish are in the area at that time. The presence of radio-tagged sturgeon could be helpful in evaluating the response of sturgeon to bridge demolition, if they could be monitored during removal activities. The draft EIS describes a number of potential alternatives for bridge alignment, number of spans, and possibly bank work along the northern embankment. As this information is refined, the FWS will continue to informally consult with the MoDOT regarding the project's impact on the pallid sturgeon.

The Department has a continuing interest in working with the FHWA and the MoDOT to ensure that impacts to resources of concern to the Department are adequately addressed. For matters related to Section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, National Park Service, Midwest Regional Office, 601 Riverfront Drive, Omaha, Nebraska, 68102, telephone 402-661-1844. For matters related to fish and wildlife resources and threatened and endangered species, please continue to coordinate with the Field Supervisor, Ecological Services Field Office, U.S. Fish and Wildlife Service, 101 Park DeVille Dr., Suite A, Columbia, Missouri 65203, telephone 573-234-2132. If you have any questions concerning public supply water wells, please contact Chief Lloyd Woosley, USGS Environmental Affairs Program, U.S. Geological Survey, Mail Stop 423, Reston, Virginia 20192, telephone 703-648-5028.

We appreciate the opportunity to provide these comments.

Sincerely,



Willie R. Taylor  
Director, Office of Environmental  
Policy and Compliance



Mr. Allen Masuda

4

cc:  
Ms. Peggy Casey  
Environmental Projects Engineer  
Federal Highway Administration  
209 Adams Street  
Jefferson City, Missouri 65101-3203

Mr. Kevin Keith  
Chief Engineer  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, Missouri 65102

600 Broadway, Suite 300  
Kansas City, Missouri 64105-1554

816/474-4240  
816/421-7758 FAX  
www.marc.org



May 30, 2006

Allen Masuda  
Division Administrator  
Federal Highway Administration  
3220 W. Edgewood, Suite H,  
Jefferson City MO 65109

Pete Rahn  
Director  
Missouri Department of Transportation  
105 W. Capitol Avenue  
Jefferson City, MO 65102

Dear Mr. Masuda and Mr. Rahn:

Thank you for the opportunity to review the Draft Environmental Impact Statement for the I-29/I-35/Paseo Crossing Corridor (DEIS). We have had the opportunity to review this document and have developed our comments and recommendations with input from members of our transportation and air quality committees and approval from the MARC Board of Directors. Due to the timing of our Board of Directors meeting, we recognize that we are submitting our formal comments after the posted close of the DEIS comment period, however, we have been assured by MoDOT district staff that our comments will be considered as your agencies draft the final EIS document.

MARC views ourselves as a partner in your agencies' efforts to improve transportation connections in this critical corridor in a safe, timely and cost-effective manner. In the attached document containing our formal comments on the DEIS we identify twelve recommendations that we believe will substantially improve the DEIS and will improve your ability to deliver a successful design-build project in this corridor.

We look forward to continuing to work as a partner with your agencies to address these issues and deliver transportation improvements in this corridor that truly serve the needs of our local, regional, state and national communities. If you have any questions about MARC's recommendations on this DEIS, please call me at (816) 474-4240.

Sincerely,

David A. Warm  
Executive Director

Copies:

Elizabeth Wright – MoDOT District 4  
Lee Ann Kell – MoDOT District 4

Chair  
Ronald L. Shaffer  
Mayor  
Prairie Village, Kan.

1st Vice Chair  
Gary Mallory  
Presiding Commissioner  
Cass County, Mo.

2nd Vice Chair  
Tom Cooley  
Commissioner  
Unified Government  
of Wyandotte County/  
Kansas City, Kan.

Treasurer  
Carol McCaslin  
Presiding Commissioner  
Clay County, Mo.

Secretary  
Jim Schultz  
Councilmember  
Independence, Mo.

Executive Director  
David A. Warm

PRINTED ON 30% POST CONSUMER RECYCLED PAPER

**MARC Comments on the I-29/35 Paseo Bridge Corridor DEIS****Introduction**

As the Metropolitan Planning Organization for the Kansas City metropolitan area, the Mid-America Regional Council recognizes the significance of the full range of transportation needs within the I-29/35 Paseo Bridge Corridor Draft Environmental Impact Statement (DEIS) corridor. MARC recognizes the priority of developing and implementing strategies to maintain and improve the connections between the growing and changing communities on both sides of the Missouri River. MARC was a partner with MoDOT and KCATA in the development of the Northland-Downtown Major Investment Study (MIS) in 2002, which created the foundation for much of the planning and conceptual design contained in the DEIS.

MARC strongly supports MoDOT's efforts to improve the I-29/35 corridor with a new Paseo Bridge crossing. MARC advocated this project through MoDOT's statewide Planning Framework process in 2005, which identified this project as Missouri's top priority for Amendment 3 bond funding. The project is included in *Transportation Outlook 2030*, the Kansas City region's long-range transportation plan.

MARC is aware that MoDOT plans to use an accelerated Design/Build process to implement the new Paseo Bridge crossing. While MARC and its members support MoDOT's objectives to rapidly address the transportation needs in this corridor in a creative and cost-effective fashion, we recognize the tension created by developing this DEIS to environmentally "clear" a general footprint for this high-profile project while preserving the flexibility to ultimately define the project details through a new and as-yet undefined project delivery process.

MARC offers these comments to MoDOT and FHWA with the intent of identifying and clarifying several community concerns about the proposed action in order to proceed with important improvements to this corridor in a way that allows MoDOT to "provide a world-class transportation experience that delights our customers and promotes a prosperous Missouri" and allows MARC to help "create a region where the quality of life is rising for everyone".

MARC's recommendations for the DEIS are summarized here, and are explained in more detail below. These recommendations are organized by providing substantive comments on the body of the DEIS document first, then on the commitments offered in the Executive Summary:

MoDOT and FHWA should:

1. Revise the Statement of Purpose and Need in Chapter I of the DEIS to better align the DEIS with regional goals and objectives and with recent planning in the corridor.
2. Better link the DEIS to the Northland-Downtown MIS to address current transit and bicycle/pedestrian planning in the corridor.
3. Add "increasing modal choice" as a goal in Chapter I of the DEIS Statement of Purpose and Need.
4. Provide more detailed analysis in Chapter I of the DEIS of crash data to support the recommendations of the DEIS within the regional and statewide "Blueprint for Safer Roadways".
5. Provide more thorough analysis in Chapter I of the DEIS of the current and future impacts of truck traffic within this corridor.
6. Revise Chapter II to detail how subsequent project design activities will be attentive to community context in the corridor.



### MARC Comments on the I-29/35 Paseo Bridge Corridor DEIS

7. Revise Chapter II of the DEIS to address how the regional Congestion Management System was considered in developing alternatives for this corridor.
8. Revise the preferred alternative to give more consideration to addressing non-motorized needs across the corridor and across the Missouri River and to give more consideration to special provisions for transit services in the design of interchanges and intersections in the corridor.

In addition to these substantive comments on the body of the DEIS, MARC believes that MoDOT should:

9. Revise commitments 1 and 2 in the Executive Summary regarding community input in the design/build project.
10. Replace commitment 17 in the Executive Summary regarding bicycle and pedestrian transportation needs in the corridor.
11. Add a new commitment in the Executive Summary regarding transit accommodations in the design of roadway improvements.
12. Add a new commitment in the Executive Summary regarding future study of HOV strategies in the corridor.

#### Chapter I -- Purpose and Need for Action:

**22A**

**Recommendation #1: MoDOT and FHWA should revise the Statement of Purpose and Need in Chapter I of the DEIS to better align the DEIS with regional goals and objectives and with recent planning in the corridor.**

MARC is concerned that the Statement of Purpose and Need in Chapter I of the DEIS is framed so narrowly that it eliminates any non-highway alternatives from advancing in this study. This is inconsistent with the goals and objectives of the region's Long-Range Transportation Plan, the problem statement in the Northland-Downtown MIS which preceded the DEIS and with language in Chapter II of the DEIS which states that "there is a need for an improved bicycle and pedestrian crossing of the Missouri River". MoDOT and FHWA should review and revise the Statement of Purpose and Need to better align the DEIS with regional goals and objectives and with recent planning in the corridor.

In the fall of 2005, MARC updated *Transportation Outlook 2030*, the Kansas City region's long-range transportation plan. MoDOT and FHWA should more explicitly relate the DEIS statement of purpose and need to the policy framework of *Transportation Outlook 2030*. Specifically, MoDOT and FHWA should re-evaluate the purpose and need statement and proposed action as to how they address the following regional goals and policy direction:

- Support a healthy, strong, regional economy
- Maximize access to opportunity for all area residents
- Support a quality built and natural environment
- Promote the safety and well-being of the traveling public
- Increase emphasis on maintaining transportation infrastructure
- Increase modal choice
- Better integrate projects into the community
- Better manage roadway capacity

More detailed information about *Transportation Outlook 2030* is available online at:  
<http://www.marc.org/outlook2030/>

### MARC Comments on the I-29/35 Paseo Bridge Corridor DEIS

#### **22B Recommendation #2: MoDOT and FHWA should better link the DEIS to the Northland-Downtown MIS to address current transit and bicycle/pedestrian planning in the corridor.**

The DEIS acknowledges that it originated as a part of the recommendations of the Northland-Downtown Major Investment Study (MIS). The MIS developed recommendations to address seven existing or projected transportation-related “problems” in the study area that encompassed the DEIS corridor. These included:

- “Changing Travel Markets – cross river travel destined for locations outside the Northland-Downtown MIS Study Area.
- Increased Intra-Northland Travel – Short trips using/affecting highway system
- Aging and Outdated Transportation Infrastructure – River bridges, poor pavement, obsolete design
- Limited Non-Highway Mobility Options – Transit, bicycle, pedestrian.
- Land Use and Development Patterns – Decentralized development patterns, dependence on the automobile and jurisdictional issues.
- Traffic Congestion – Increasing congestion crossing the Missouri River.
- Inefficient Use of Transportation System – Need for better traffic-flow management.”

One of the key components of the Northland-Downtown MIS was the development of a fixed guideway transit system within the MIS study area. A key element of this system involved the planned construction of a dedicated transit bridge over the Missouri River, which was also envisioned to include accommodations for non-motorized transportation across the river. This element is no longer envisioned in the region’s long-range transportation plan or as a component of the Smart Moves transit plan. MoDOT and FHWA should assess the impact of this significant change to the preferred strategy for the Northland-Downtown MIS study area on transit and non-motorized transportation needs in the DEIS study area.

#### **22C Recommendation #3: MoDOT and FHWA should add “increasing modal choice” as a goal in Chapter I of the DEIS Statement of Purpose and Need.**

The DEIS Purpose and Need for Action addresses many issues identified in the LRTP and MIS goals and objectives but does not include any consideration for improving non-highway mobility options as a discrete goal or objective of the project. Therefore, the DEIS purpose and need is framed to favor a single-mode, highway solution for the DEIS and does not include increasing modal choice as a goal for the recommended action. This is a significant omission and should be addressed in the final EIS. In particular, MoDOT and FHWA should include and address the need to reduce barriers to non-motorized transportation both across the I-29/I-35/I-70 corridor itself, and across the Missouri River within the study limits as an explicit goal of this study.

#### **22D Recommendation #4: MoDOT and FHWA should provide more detailed analysis in Chapter I of the DEIS of crash data to support the recommendations of the DEIS within the context of the regional and statewide “Blueprint for Safer Roadways”.**

While the DEIS analysis shows higher than average crash rates in the corridor, it does not provide any information about contributing factors that might be mitigated through the proposed engineering solutions. The DEIS should discuss the role that other education, enforcement and emergency response strategies will play—along with engineering strategies—in addressing the safety needs of this corridor.



### MARC Comments on the I-29/35 Paseo Bridge Corridor DEIS

- 22E**      **Recommendation #5: MoDOT and FHWA should provide more thorough analysis in Chapter I of the DEIS of the current and future impacts of truck traffic within this corridor.**
- The DEIS analysis assumes that trucks will remain 10% of total ADT in this corridor, however no basis is given for this assumption. It may be reasonable to assume that truck ADT will grow at a different rate than passenger ADT. If truck ADT growth is significantly higher than the DEIS estimates, what implications will that have for the evaluated alternatives?
- Chapter II -- Alternatives:**
- 22F**      **Recommendation #6: MoDOT and FHWA should revise Chapter II to detail how subsequent project design activities will be attentive to community context in the corridor.**
- The DEIS describes anticipated or planned changes in land use on the south side of the Missouri River within the study area, and describes in general terms the trend toward increased residential and commercial development north of the river. The DEIS does not address the potential for significant redevelopment of industrial land north of the river, which seems likely given similar redevelopment activity south of the river in the River Market, CBD and Crossroads neighborhoods and given recent national trends toward redevelopment of urban industrial land. MoDOT and FHWA should account for this potential redevelopment in the DEIS purpose and need statement. By doing so, this may elevate the need to reduce barriers to transit and non-motorized transportation throughout the study corridor.
- 22G**      **Recommendation #7: MoDOT and FHWA should revise Chapter II of the DEIS to address how the regional Congestion Management System was considered in developing alternatives for this corridor.**
- As part of the Kansas City metropolitan planning process, MARC has adopted a policy on the Congestion Management System (CMS) required by federal transportation planning statutes and regulations. MoDOT and FHWA should revise Chapter II of the DEIS to address how the "CMS Toolbox" strategies were considered in the development of alternatives for this corridor. More information on the MARC CMS is available online at: <http://www.marc.org/transportation/congestionmanagementsystem.htm>
- 22H**      **Recommendation #8: MoDOT and FHWA should revise the preferred alternative to give more consideration to addressing multi-modal needs in the corridor.**
- The highway element of the preferred alternative is generally consistent with assumptions in the highway element of MARC's long-range transportation plan, however, the single-mode focus of the DEIS is not consistent with the overall policy framework of the LRTP. Additional consideration should be given to addressing:
- Non-motorized transportation needs across the Missouri River and across the interstate highway corridor;
  - Special provisions for transit services and vehicles in the design of interchanges and intersections in this corridor, particularly in and around the downtown loop;
  - Special provisions for trucks in the design of interchanges and auxiliary lanes in this corridor.



**MARC Comments on the I-29/35 Paseo Bridge Corridor DEIS****Executive Summary -- MoDOT "Commitments":**

MARC applauds MoDOT for summarizing its commitments in the DEIS in the document's Executive Summary. MARC is aware that MoDOT does not use the term "commitment" lightly and we are also aware that including such a list is not a requirement of the federal process governing the DEIS.

MARC supports MoDOT's overall objective of addressing transportation needs in this corridor in a timely and cost-effective manner. However, MARC is concerned that the new design/build process proposed for elements of the preferred alternative does not currently provide clear ways for meaningful community input to affect decisions regarding the scope of the design/build project. MARC encourages MoDOT to collaborate with MARC and our member local governments to establish a meaningful community engagement process that maximizes MoDOT's chance to provide a quality project within budget and on schedule that the community can embrace.

MARC believes that this section of the document, with some refinements and additions, may be particularly helpful in addressing community concerns that "bridge" the DEIS and Design/Build processes and MARC's concerns with the project Statement of Purpose and Need.

**22I Recommendation #9: MoDOT should revise commitments 1 and 2 in the Executive Summary regarding community input in the design/build project as follows:**

MoDOT will continue to work with stakeholders, the general public, organizations and appropriate agencies to ensure community objectives are met through the design-build process. MoDOT, in conjunction with MARC and other community partners, will utilize a series of inclusive, community charettes to capture and articulate community expectations and objectives for the project such that they can be included in the RFP for design-build services. Project elements to be discussed in the community charettes will include, but not be limited to, community cohesion, connectivity and access; multimodal transportation; system performance and operations; and aesthetics and design considerations.

**22J Recommendation #10: MoDOT should replace commitment 17 in the Executive Summary regarding bicycle and pedestrian transportation needs in the corridor as follows:**

MoDOT, in partnership with MARC and appropriate local governments, will conduct a planning process to resolve questions of bicycle/pedestrian accommodation in the corridor. The planning process will include a technical and policy evaluation of potential bicycle and pedestrian connections across the Missouri River within the DEIS study area, and lead to a community decision regarding the appropriate accommodation(s) across the river as described in MARC's "Policy on Bicycle and Pedestrian Accommodations on Missouri and Kansas River Bridges (Adopted by the MARC Board on April 25, 2006)". MoDOT will attempt to resolve as many questions of bicycle/pedestrian accommodation as possible prior to initiating the design/build process.

**22K Recommendation #11: MoDOT should add a new commitment in the executive summary regarding transit accommodations in the design of roadway improvements.**

**MARC Comments on the I-29/35 Paseo Bridge Corridor DEIS**

MoDOT will work with the Kansas City Area Transportation Authority, MARC, and other appropriate agencies to analyze current and planned transit services in the DEIS study area to identify opportunities to enhance transit service/transit operations in the corridor. MoDOT will attempt to complete as much of this analysis as possible prior to initiating the design/build process.

**22L Recommendation #12: MoDOT should add a new commitment in the Executive Summary regarding future study of HOV strategies in the corridor**

Prior to any future decision to expand the I-29/I-35 corridor beyond 6 lanes, MoDOT will work with MARC, the Kansas City Area Transportation Authority, and other appropriate agencies and local governments to analyze a broad range of options. These options should include, but not be limited to, High Occupancy Vehicle lanes or other strategies that would facilitate the movement of people, goods and vehicles through the corridor.

**Summary**

Based on these substantive comments and recommendations, MARC anticipates that the final EIS document will be substantially different than the DEIS. MARC encourages MoDOT and FHWA to take the time necessary to address these important community concerns and incorporate these recommendations into the final EIS document.

Once again, MARC supports the efforts of MoDOT and FHWA to address critical transportation needs in this corridor. MARC offers these recommendations in order to support the planning and development of creative and cost-effective projects that address statewide, regional and local community needs. MARC and our member local governments look forward to our continued partnership with MoDOT and FHWA to advance our common objectives to improve this corridor and better connect our region together and to the world.

**Response to Draft EIS I-29/I-35 Summary – Kansas City,  
Missouri Board of Parks and Recreation Commissioners**

**23A 1. Effectiveness in Accomplishing Purpose and Need Objectives**

- Improve Access to Kansas City CDB and Other Major Activity Centers

**Response:** *The proposed concepts carried forward as shown on Table S-1 of the summary exclude Bicycle and Pedestrian systems. In an economic environment where alternative transportation is increasingly necessary, the exclusion of incorporating bicycle and pedestrian crossings on the proposed bridge is short sighted at best. Two recreational areas exist immediately to the east and west of the south landing in Berkeley Park (Regional) and Riverfront Park. In addition the Paseo connection is a significant cultural and historic activity center that has not been fully addressed in the EIS. Opportunities to enhance the cultural historic and economic value of this activity center have not been addressed. Additional traffic can be assumed to occur on the Paseo when these improvements occur. Significant intersection and boulevard improvements are likely to be needed, thus imposing on the local Park Board and City economic costs. The Board of Park and Recreation commissioners has engaged an engineering firm to provide concepts that include the widening of the boulevard and the improvement of the traffic management. A temporary intersection improvement is under construction at Independence and the Paseo. Although we were told by both MoDot staff and HNTB that the EIS did not include the Paseo and Independence intersection, it is shown on the EIS summary map in the CBD North Loop Sub corridor, but not addressed. We feel strongly that the intersection should be included in the study.*

**23B 2. Social, Economic and Environmental Considerations**

**c. Environmental Factors**

**Parkland “None of the reasonable alternatives would have impacts to parklands or recreational areas.”**

**Response:** *It is clear from the misidentification of parkland in the summary; Figure S-4 Major Activity Centers that parkland and the access to it is not addressed in the draft study. Berkeley Park is misidentified as Riverfront Park, while Riverfront Park which is directly east of the casino is not identified at all. Pedestrian and bicycle access to these areas is key to their use by citizens. The lack of provisions for pedestrian or bicycle use will diminish their value and use. In addition the Paseo is park property and is eligible for designation on the National Register of Historic Places. The fact that the bridge connection will impact this park property is cause enough that the intersection of Paseo and Independence should be addressed.*



## 2. RESPONSES TO AGENCY AND ORGANIZATION COMMENTS

Comment codes are used in this section to reference the specific agency and/or organization letters to which the responses correspond.

---

**COMMENT CODE: 1**

**SOURCE:** U.S. Coast Guard

**RESPONSE:** Comment noted.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 2**

**SOURCE:** Federal Aviation Administration

**RESPONSE:** Comment noted. Airspace requirements will be considered during the design phase of the project.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 3**

**SOURCE:** Federal Transit Administration

**RESPONSE:** Comment noted. The public will continue to have an opportunity to provide input throughout the remainder of the NEPA process and during the design phase of the project.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 4**

**SOURCE:** U.S. Environmental Protection Agency

**RESPONSE:** Comment noted. There will be continued opportunity for input throughout the remainder of the environmental process and into the design-build portion of the project.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 5A**

**SOURCE:** North Kansas City Business Council

**RESPONSE:** MoDOT is aware of the concerns from the City of North Kansas City and the surrounding businesses about access at M-210/Armour Road. MoDOT is committed to continuing discussions with the City of North Kansas City on access management issues through the design-build process, including discussions related to municipal agreements.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

---

**COMMENT CODE: 5B****SOURCE:** North Kansas City Business Council

**RESPONSE:** The 16<sup>th</sup> Avenue interchange is not proposed to be expanded to a full interchange because of the short distances between this interchange and the interchange with M-210/Armour Road. The section of I-29/35 between 16<sup>th</sup> Avenue and M-210 has a crash rate which is higher than the statewide average for similar facilities (Table I-3 in the DEIS). Making this a full interchange would create a difficult weave between merging and diverging traffic at these interchanges which would be expected to worsen traffic safety. This would go against the goals of the purpose and need which include addressing traffic safety and operations.

**APPLICABLE REFERENCE:** Chapter II, H, 1 of the DEIS and FEIS.

---

**COMMENT CODE: 5C****SOURCE:** North Kansas City Business Council

**RESPONSE:** Through discussions with stakeholders and through public comments, it was determined to be desirable to maintain access at both Bedford and Levee Road. Braided ramps are shown in the conceptual designs. Braided ramps were considered in order to eliminate a traffic weave at a location where the crash rate exceeds the statewide average for similar facilities (Table I-3 in the DEIS). However, the space required for the braided ramps requires the removal of Macon Street at this location. Access to the properties adjacent to Macon Street would be provided by the network of local streets serving this area. The public will continue to have the opportunity to provide input on the project design when further details related to design will be available.

**APPLICABLE REFERENCE:** Chapter II, H, 2 and Appendix C of the DEIS and FEIS.

---

**COMMENT CODE: 5D****SOURCE:** North Kansas City Business Council

**RESPONSE:** MoDOT is committed to continuing discussions with the public and key stakeholders regarding community priorities, which includes input regarding closures during construction. A maintenance of traffic plan will be developed for the construction phase of the project. The EIS has identified the possibility that the Paseo Bridge or other portions of the corridor could be closed during all or part of the construction period subject to the details that will be worked out during the design-build process. Public involvement and opportunity for input will continue when more information related to the design is available. MoDOT will coordinate with area businesses regarding access issues, via direct communication throughout the construction period.

**APPLICABLE REFERENCE:** Summary of the DEIS and FEIS.

---

**COMMENT CODE: 5E****SOURCE:** North Kansas City Business Council

**RESPONSE:** The concerns that were heard regarding Alternative B in the CBD were related to business and neighborhood impacts and access to North Kansas City. Based on the concerns

---

---

voiced by this group and others, including the City of North Kansas City and Columbus Park residents, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A.

**APPLICABLE REFERENCE:** Chapter II of the FEIS.

---

**COMMENT CODE:** 6A

**SOURCE:** City of North Kansas City, Missouri

**RESPONSE:** The interchanges shown in the DEIS are illustrative concepts used to develop a project footprint and estimate impacts. Specific interchange designs will be developed during the design-build process. MoDOT is committed to continuing coordination regarding access issues with North Kansas City. The public will also continue to be afforded opportunities to provide input on priorities and local concerns throughout the remainder of the NEPA process and the design-build portion of this project. The City of North Kansas City provided a concept showing a different alternative at the M-210/Armour interchange and it will be made available to the design-build team for consideration during the detailed design phase of this project. MoDOT appreciates the city's efforts in continuing to work cooperatively to examine interchange concepts at these important interchanges.

A separate traffic analysis was provided by the City of North Kansas City in support of interchange concepts they have developed. MoDOT has concerns about a number of analysis assumptions made and will work with the City to refine input assumptions in order to assess the viability of their proposed concepts.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 6B

**SOURCE:** City of North Kansas City, Missouri

**RESPONSE:** The 16<sup>th</sup> Avenue interchange is not proposed to be expanded to a full interchange because of the short distances between this interchange and the interchange with M-210/Armour Road. The section of I-29/35 between 16<sup>th</sup> Avenue and M-210 has a crash rate which is higher than the statewide average for similar facilities (Table I-3 in the DEIS). Making this a full interchange would create a difficult weave between merging and diverging traffic at these interchanges which would be expected to worsen traffic safety. This would go against the goals of the purpose and need which include improving traffic safety and operations.

**APPLICABLE REFERENCE:** Chapter II, H, 1 of the DEIS and FEIS.

---

**COMMENT CODE:** 6C

**SOURCE:** City of North Kansas City, Missouri

**RESPONSE:** Through discussions with stakeholders and through public comments, it was determined to be desirable to maintain access at both Bedford and Levee Road. Braided ramps are shown in the conceptual designs. Braided ramps were considered in order to eliminate a traffic weave at a location where the crash rate exceeds the statewide average for similar facilities (Table I-3 in the DEIS). However, the space required for the braided ramps requires

---



---

the removal of Macon Street at this location. Access to the properties adjacent to Macon Street would be provided by the network of local streets serving this area. The public will continue to have the opportunity to provide input on the project design.

**APPLICABLE REFERENCE:** Chapter II, H, 2 of the DEIS and FEIS.

---

**COMMENT CODE:** 6D

**SOURCE:** City of North Kansas City, Missouri

**RESPONSE:** The concerns that were heard regarding Alternative B in the CBD were related to business and neighborhood impacts and access to North Kansas City. Based on the concerns voiced by this group and others, including the North Kansas City Business Council and Columbus Park residents, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A.

**APPLICABLE REFERENCE:** Chapter II, H, 3 of the FEIS.

---

**COMMENT CODE:** 6E

**SOURCE:** City of North Kansas City, Missouri

**RESPONSE:** As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward.

**APPLICABLE REFERENCE:** Chapter II, J. 4. d of the FEIS.

---

**COMMENT CODE:** 6F

**SOURCE:** City of North Kansas City, Missouri

**RESPONSE:** Comment noted.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 7****SOURCE:** Clay County Economic Development Council**RESPONSE:** Comment noted.**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 8A****SOURCE:** Kansas City Area Transportation Authority (KCATA)**RESPONSE:** The Purpose and Need was originally developed in support of the regional goals and objectives of Transportation Outlook 2030 and the Northland~Downtown MIS as well as KCMO's "Focus" Plan.

The goals and objectives addressed in the Northland~Downtown MIS were; System Preservation, Personal Mobility and Quality of Life, Safety, Land Use and Development, Regional Economy, System Management and Efficiency and Cost Effectiveness. It is important to note that the Downtown Northland MIS studied all three river crossings to the CBD and the "Preferred Strategy" in that report concluded that the I-29/I-35 (Paseo Crossing) is where additional highway capacity needs to be added. The transit and non-motorized strategies were identified in the MIS on other existing or proposed bridges to the CBD.

The Purpose and Need for the Paseo EIS was also developed in coordination with regional stakeholders, resource and regulatory agencies, as well the general public through an extensive public involvement process. The overview of the Purpose and Need, in Chapter I, outlines six items deemed as the critical project needs for this project, all of which helped to frame the alternatives development and evaluation process. The Purpose and Need has been revised to reflect consideration of non-vehicle travel modes. The Purpose and Need of the project is to efficiently and safely move people, goods and service from north to south of the river in the I-35/I-29 corridor."

The Initial Concepts included a High Capacity Transit Concept and a Bicycle and Pedestrian Concept. These concepts fell out as stand-alone concepts as they did not by themselves, fully address the Purpose and Need of the project. However they are described as supportive elements to the Preferred Alternatives.

As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

---

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable

---

---

and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

Crossings of the I-29/35 interstate corridor will be considered in the detail design of the interchanges in the corridor. These commitments are being made in an effort to continue to look for opportunities to increase modal choice.

**APPLICABLE REFERENCE:** Chapter 1, B. MIS Preferred Strategy Report, Problem Definition, Section 4.0 Transportation Goals and Objectives, Preferred Strategy Section 1.0, page 1, Section 4.0, page 2.

---

**COMMENT CODE:** 8B

**SOURCE:** KCATA

**RESPONSE:** MoDOT is committing to continue working with the KCATA to explore transit-supportive design treatments as part of the design process. Elements that would be included are related to community cohesion, connectivity and access; multimodal transportation; system performance and operations; and design and aesthetics considerations.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 8C

**SOURCE:** KCATA

**RESPONSE:** MoDOT is committing to further public and agency involvement on elements of the project which include design and aesthetics considerations. Supplemental transit services will be considered as part of a maintenance of traffic plan that will be developed during part of the design-build process. At this time it is considered premature to determine the level of transit service that will be needed. Additionally, existing and future transit service will be taken into account in the design of any bicycle and pedestrian crossing of the Missouri River so that the two do not conflict.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 8D

**SOURCE:** KCATA

**RESPONSE:** Chapter I of this document has been written to reflect the concern expressed in this comment. It describes how the Preferred Alternative will support the movement of people and goods using multiple modes of travel. MoDOT has committed to work with MARC and KCATA along with others to analyze transit services and look for opportunities to enhance transit within the I-29/35 corridor separate from this NEPA process. These commitments reflect an effort to look at multi-modal and access needs for the community.

**APPLICABLE REFERENCE:** Summary and Chapter I of the FEIS.

---



**COMMENT CODE:** 8E**SOURCE:** KCATA

**RESPONSE:** MoDOT is committing to continue working with the KCATA now and in the future to explore transit-supportive design treatments as part of the design process.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 8F**SOURCE:** KCATA

**RESPONSE:** Chapter I of this document has been written to reflect the concern expressed in this comment. The evaluation process has been modified to reflect the suggested comment. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area.

**APPLICABLE REFERENCE:** Chapter I of the FEIS.

---

**COMMENT CODE:** 8G**SOURCE:** KCATA

**RESPONSE:** MoDOT is committing to further public and agency involvement on elements of the project which include design and aesthetics considerations. One of the goals of the design-build process is to build a noteworthy bridge. MoDOT is working with a community advisory group to get input on the priorities and concerns of the community. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. Further public involvement on the specifics of the bridge type and design will occur following the NEPA process, during the design-build procurement process so that the public can provide input on what they see as the community's priorities and again once the contractor has been selected and design details are available for sharing with the public.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 8H**SOURCE:** KCATA

**RESPONSE:** Acknowledgement of the success of the partnership between MoDOT and KCATA is appreciated. Supplemental transit services will be considered as part of a maintenance of traffic plan that will be developed during part of the design-build process. At this time it is considered premature to determine the level of transit service that will be needed. MoDOT financially supported additional transit service during the time when the Paseo Bridge was being rehabilitated in 2005. Decisions related to financial support for a similar approach during construction of a new bridge will be discussed with the KCATA.

**APPLICABLE REFERENCE:** None.

---

---

**COMMENT CODE: 8I****SOURCE: KCATA**

**RESPONSE:** The Smart Moves plan is discussed in Chapter I of the DEIS. The transit routes within the study corridor are listed there. Freeway Flier (express bus) service is identified in SMART Moves to operate on I-29/35 in the future. Existing routes and potential future Freeway Flier service are expected to receive operational benefits associated with service less impacted by traffic congestion as a result of the Preferred Alternative. The change in Preferred Alternative from CBD North Loop Alternative B to CBD North Loop Alternative A will result in no change to the Heart of America Bridge corridor and will not impact transit operations at this location. The Preferred Alternative does not affect plans for the BRT route since it uses the Heart of America Bridge. The Preferred Alternative does not impact the potential for commuter rail at the Rivermarket.

**APPLICABLE REFERENCE:** Chapter I and II of the FEIS.

---

**COMMENT CODE: 8J****SOURCE: KCATA**

**RESPONSE:** The concerns that were heard regarding Alternative B in the CBD were related to business and neighborhood impacts and access to North Kansas City. Based on the concerns voiced by this group and others, including the City of North Kansas City, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A.

**APPLICABLE REFERENCE:** Chapter III of the FEIS.

---

**COMMENT CODE: 8K****SOURCE: KCATA**

**RESPONSE:** Sidewalks that currently exist will be replaced. Other pedestrian access will be considered during design. MoDOT is committed to getting input from the community related to their interests and concerns related, but not limited to, community cohesion, connectivity and access; multimodal transportation; system performance and operations; and design and aesthetic considerations.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 9A****SOURCE: Missouri Department of Natural Resources (MDNR)**

**RESPONSE:** The geology information contained in the DEIS was written with emphasis on the river crossing. This information has been confirmed by recent borings but could be further refined. A full scale geotechnical investigation will be performed in association with the design of the Missouri River bridge.

**APPLICABLE REFERENCE:** Chapter III, B, 3 of the DEIS.

---

**COMMENT CODE:** 9B

**SOURCE:** MDNR

**RESPONSE:** Table III-5 has been updated to include the information regarding Land and Water Conservation Funds (LWCF) receipt by River Bluff Park in March 1973. However, as of a search done by county on June 15, 2006, Belvidere Playground did not appear on the list of LWCF recipients. A Belvidere Park located in the city of Grandview received LWCF in 1983, and although both are located in Jackson County, Belvidere Playground is located in the city of Kansas City, Missouri.

**APPLICABLE REFERENCE:** Chapter III of the FEIS.

---

**COMMENT CODE:** 9C

**SOURCE:** MDNR

**RESPONSE:** Best Management Practices will be in place and applied during construction of the project.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 10

**SOURCE:** Office of the Mayor, Kansas City, Missouri

**RESPONSE:** FHWA and MoDOT are committed to involving the public in successfully developing and delivering the project as we move through the design-build process. Prior to awarding the design-build contract, public involvement activities will include a project Web site, newsletters and communications with adjacent property owners, MoDOT also will work advisory group of community representatives, appointed by elected and civic leaders. This group will help the project team identify and capture public priorities for various aspects of the project. These ideas will be summarized and broadly shared with members of the project team, prospective contractors and the public. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. In addition, MoDOT will hold a public meeting prior to awarding the design-build contract to capture and document the public's priorities for the project. MoDOT also will seek out public events where project information and team members can be made available.

Once a contractor is selected, MoDOT will hold a second public meeting where the selected contractor would be available to answer questions, share their design, and get input from the public on that design. Outreach through the project's Web site and newsletter, as well as outreach to impacted property owners will continue after awarding the design-build contract. Finally, MoDOT will work with the selected contractor to develop and implement plans to inform the public of property impacts, including traffic management plans.

**APPLICABLE REFERENCE:** None.

---



---

**COMMENT CODE:** 11A**SOURCE:** Columbus Park Community Council**RESPONSE:** A disclosure statement has been added to Chapter VII of this document.**APPLICABLE REFERENCE:** Chapter VII of the FEIS.

---

**COMMENT CODE:** 11B**SOURCE:** Columbus Park Community Council**RESPONSE:** We have written the Final EIS with new text and some revised graphics to address this concern, and make the document and its analysis more understandable to all readers.**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 11C**SOURCE:** Columbus Park Community Council**RESPONSE:** The Purpose and Need was originally developed in support of the regional goals and objectives of Transportation Outlook 2030 and the Northland~Downtown MIS as well as KCMO's "Focus" Plan.

The goals and objectives addressed in the Northland~Downtown MIS were; System Preservation, Personal Mobility and Quality of Life, Safety, Land Use and Development, Regional Economy, System Management and Efficiency and Cost Effectiveness. It is important to note that the Downtown Northland MIS studied all three river crossings to the CBD and the "Preferred Strategy" in that report concluded that the I-29/I-35 (Paseo Crossing) is where additional highway capacity needs to be added. The transit and non-motorized strategies were identified in the MIS on other existing or proposed bridges to the CBD.

The Purpose and Need for the Paseo EIS was also developed in coordination with regional stakeholders, resource and regulatory agencies, as well the general public through an extensive public involvement process. The overview of the Purpose and Need, in Chapter I, outlines six items deemed as the critical project needs for this project, all of which helped to frame the alternatives development and evaluation process. The Purpose and Need has been revised to reflect consideration of non-vehicle travel modes. The Purpose and Need of the project is to efficiently and safely move people, goods and service from north to south of the river in the I-35/I-29 corridor."

The Initial Concepts included a High Capacity Transit Concept and a Bicycle and Pedestrian Concept. These concepts fell out as stand-alone concepts as they did not by themselves, fully address the Purpose and Need of the project. However they are described as supportive elements to the Preferred Alternative. As such, MoDOT has committed to work with MARC and KCATA along with others to analyze transit services and look for opportunities to support the KCATA to enhance transit in the study area.

MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City

---

---

and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

Crossings of the I-29/35 interstate corridor will be considered in the detail design of the interchanges in the corridor. These commitments are being made in an effort to continue to look for opportunities to increase modal choice.

**APPLICABLE REFERENCE:** Chapter I of the FEIS.

---

**COMMENT CODE:** 11D

**SOURCE:** Columbus Park Community Council

**RESPONSE:** It is simply noted that I-35 has been defined as part of the NAFTA trade corridor but this is not the focus of this project. The Purpose and Need describes the need to replace deteriorating infrastructure and address safety, capacity and access for this portion of I-35.

**APPLICABLE REFERENCE:** Chapter I, A, 2 of the DEIS.

---

**COMMENT CODE:** 11E

**SOURCE:** Columbus Park Community Council

**RESPONSE:** During the course of the I-29/35 Corridor Study, there has been a concerted effort made to minimize residential displacements so that no residential properties are being taken in full and to minimize other impacts to the adjacent communities and neighborhoods. Public involvement and demographic analysis contributed to identifying and avoiding disproportionate impacts. Vehicular access to neighborhoods has been preserved and an effort made to maintain those routes which are used by public transit.

The build alternatives would replace an existing infrastructure and would not provide any substantial new access. The existing economic and social opportunities would remain or would be enhanced. The I-29/35 Paseo Bridge Project Area has been developed within a built environment where urban land uses, including residential, commercial and industrial areas have existed since the late 1800s. Direct impacts of the Preferred Alternative have been documented in other sections of this EIS. It is anticipated that there will be no cumulative impacts to natural resources present. Cumulative impacts or effects on people and the built environment could include actions by other agencies within the project area such as the North Kansas City redevelopment project at M-210, 16<sup>th</sup> Avenue Development, Lewis and Clark Expressway, proposed Port Authority riverfront redevelopment, Paseo Boulevard, and the arena/Entertainment District/Bartle Hall/Performing Arts. These are development projects that are independent of the proposed action. These projects would be further supported by improved vehicular access to-and-from north Kansas City, traffic and pedestrian safety from the proposed action. The cumulative effect of the actions of other agencies, in relation to the above-named projects, may result in a more vital area, economically and socially within the Kansas City region. However, the reconstruction of the I-29/35 corridor will not introduce additional cumulative impacts.

---

Secondary impacts of the build alternatives are expected to be minimal. It is anticipated that the

---

---

maintenance or increased accessibility to the CBD over time would help sustain the current level of employment or possibly support a small growth in employment and re-development of the CBD as an entertainment center.

**APPLICABLE REFERENCE:** Chapter IV, Sections C and U of the DEIS.

---

**COMMENT CODE:** 11F

**SOURCE:** Columbus Park Community Council

**RESPONSE:** Comment noted. The intent is to make the environmental document readable and be able to be understood by the general public while following guidelines for including the necessary information in the document.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 11G

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The gathering of information about the affected environment describes the baseline conditions of the study area. To begin gathering baseline information a study corridor was identified to serve as the limits of the study area. The study corridor was used to identify potential constraints and issues of concern. As Initial Concepts were defined for the project, the focus of analysis narrowed. The study team looked at what was referred to as the Initial Area of Investigation to assess impacts associated with each concept as they evolved into alternatives. In this chapter, the Initial Area of Investigation is the largest footprint of a combination of the alternatives examined in Chapter II. These are shown geographically on exhibits in Chapter III of the DEIS. The Initial Area of Investigation used within this chapter provides the baseline for determining the impacts associated with the project alternatives. The direct and indirect impacts associated with each of the project alternatives are discussed in detail in Chapter IV of the DEIS and are summarized in Chapter IV of this document.

The IAI was not gerrymandered to avoid discussing environmental consequences. Each resource is analyzed appropriately and comprehensively but the area of analysis can vary depending on the type of resource.

**APPLICABLE REFERENCE:** Exhibit III-1 and Chapter IV of the DEIS.

---

**COMMENT CODE:** 11H

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The analysis is not limited to only the “physical footprint.” Each resource is analyzed appropriately and comprehensively but the area of analysis can vary depending on the type of resource.

The gathering of information about the affected environment describes the baseline conditions of the study area. To begin gathering baseline information a study corridor was identified to serve as the limits of the study area. The study corridor was used to identify potential constraints and issues of concern. As Initial Concepts were defined for the project, the focus of analysis narrowed. The study team looked at what was referred to as the Initial Area of

---



---

Investigation to assess impacts associated with each concept as they evolved into alternatives. In this chapter, the Initial Area of Investigation is the largest footprint of a combination of the alternatives examined in Chapter II. These are shown geographically on exhibits in Chapter III of the DEIS. The Initial Area of Investigation used within this chapter provides the baseline for determining the impacts associated with the project alternatives. The direct and indirect impacts associated with each of the project alternatives are discussed in detail in Chapter IV of the DEIS and are summarized in Chapter IV of this document.

**APPLICABLE REFERENCE:** Chapter IV of the DEIS.

---

**COMMENT CODE:** 11I

**SOURCE:** Columbus Park Community Council

**RESPONSE:** See response 11H.

**APPLICABLE REFERENCE:** Chapter IV of the DEIS.

---

**COMMENT CODE:** 11J

**SOURCE:** Columbus Park Community Council

**RESPONSE:** Chapter I of this document has been written to reflect the concern expressed in this comment. The evaluation process has been modified to reflect the comment's suggestion. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area.

As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations.

Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

---

---

**APPLICABLE REFERENCE:** Summary and Chapter II of the FEIS.

---

**COMMENT CODE:** 11K

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The Interstate System, in addition to defense purposes, is for the safe and efficient movement of goods, services and the traveling public. Any restrictions to such use would have to be approved by the Federal Highway Administration. Neither the authority nor the ability to enforce the redirection of traffic traveling through the Kansas City Metropolitan area, or non-CBD oriented local traffic on an interstate highway currently exists. A proposal has to be submitted to and approved by the appropriate FHWA Division Office. Possible signage indicating routes which could be used for traffic traveling through the metropolitan area could be provided and may be considered by MoDOT.

Impacts to the existing downtown business loop and its ingress and egress have been considered, both in the current DEIS and in previous planning studies. Prior to this EIS, the Northland~Downtown MIS looked at the origins and destinations of different types of vehicles. The MIS indicated that 40 percent of traffic entering the Loop was destined to the Loop. This was confirmed in the traffic analysis completed for the EIS. Consideration of the impact of adding vehicle capacity to I-29/35 on the Downtown Loop was given. Model results of the No-Build Alternative indicate traffic congestion would occur within the Loop at the northwest corner, the northeast corner of the Loop. The Preferred Alternative includes adding lane capacity at the northwest and northeast corners of the loop. These components will address traffic volume increases into the loop associated with the initial widening of I-29/35 to six lanes. In the analysis additional loop capacity and operational changes beyond that proposed in this EIS may be needed to maintain Level of Service (LOS) within the Loop with any further widening beyond six lanes of I-29/35. Future potential changes to the Loop and Loop traffic operation issues associated with connectivity intersecting freeways are also discussed in the Loop Master Plan. The LOS for the Build Concepts is discussed in Tables II-11, II-12 and II-13. The LOS analysis summarized in these tables indicates acceptable levels of service on the north side of the Loop.

**APPLICABLE REFERENCE:** Chapter II of the DEIS.

---

**COMMENT CODE:** 11L

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The section of I-29/35 between Front Street and the Paseo has a crash rate of over four times higher for southbound travel and over six times higher for northbound travel from the statewide average for similar facilities. For this reason and to improve safety and operations the EIS has developed alternatives that include a right-hand exit for the Paseo Boulevard because of the lane shifts required currently which result in lower vehicle capacity in the left lane as it gives priority to drivers entering and exiting at Paseo. In addition, driver expectation is to enter or exit the interstate from the right. The concepts shown in the EIS are illustrative of the reasons for making the Paseo a right-hand exit. Having said that, the EIS does not preclude leaving the left-hand exit as it currently exists. A no-build alternative that would retain a left exit at the Paseo was also studied. The EIS examines alternatives with the largest footprint in order to clear that footprint through the environmental process. This issue will be examined further during the design-build process.

---

**APPLICABLE REFERENCE:** Chapter I, B, 1, c, of the DEIS.

---

**COMMENT CODE:** 11M

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The exit ramps from north bound I-35 to US 24/Independence Avenue and from I-70 WB at Admiral, as shown in the Preferred Alternative, are being removed due to the short weave distances between the exit and entrance ramps in this location. Other access points are available nearby to accommodate individuals who desire to exit the interstate system in this corner of the Loop.

The project corridor includes a portion of the east leg of the Loop to approximately 10<sup>th</sup> street. This area is included to follow movements through the north east corner of the loop to ensure that they will work.

**APPLICABLE REFERENCE:** Figure I-2 and Appendix C Alternative Plates of the DEIS.

---

**COMMENT CODE:** 11N

**SOURCE:** Columbus Park Community Council

**RESPONSE:** All groups have been treated similarly and given equal access to MoDOT and MoDOT's representatives throughout the study process. The public as a whole, as well as civic groups and organizations, including Columbus Park have been given the opportunity to express their concerns and desires related to the project and provide comments. The DEIS lists those opportunities that have been afforded throughout the NEPA process.

FHWA and MoDOT are committed to involving the public in successfully developing and delivering the project as we move through the design-build process. Prior to awarding the design-build contract, public involvement activities will include a project Web site, newsletters and communications with adjacent property owners, MoDOT also will work advisory group of community representatives, appointed by elected and civic leaders. This group will help the project team identify and capture public priorities for various aspects of the project. These ideas will be summarized and broadly shared with members of the project team, prospective contractors and the public. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. In addition, MoDOT will hold a public meeting prior to awarding the design-build contract to capture and document the public's priorities for the project. MoDOT also will seek out public events where project information and team members can be made available.

Once a contractor is selected, MoDOT will hold a second public meeting where the selected contractor would be available to answer questions, share their design, and get input from the public on that design. Outreach through the project's Web site and newsletter, as well as outreach to impacted property owners will continue through the award of the design-build contract. Finally, MoDOT will work with the selected contractor to develop and implement plans to inform the public of property impacts, including traffic management plans.

**APPLICABLE REFERENCE:** Summary of the FEIS and Chapter V of the DEIS.

---



---

**COMMENT CODE:** 11O**SOURCE:** Columbus Park Community Council

**RESPONSE:** As the comment discusses, reasonable efforts have been made to include all of the public in the NEPA process, including translation of the DEIS Executive Summary and providing translators at the public hearings. Accommodations were available upon request. More detail related to efforts to include those individuals with limited English proficiency have been outlined earlier in this chapter.

**APPLICABLE REFERENCE:** Chapter V of the FEIS.

---

**COMMENT CODE:** 11P**SOURCE:** Columbus Park Community Council

**RESPONSE:** A project representative mistakenly indicated that a noise report would be compiled and subsequently available for review. The information related to the noise analysis is included in the document, there is no separate noise report. The visual quality assessment is a relatively subjective analysis at the EIS level which is conducted per FHWA guidance “Visual Impact Assessment for Highway Projects.”

There is no one source that describes all of the methodologies used to put together the EIS and information regarding sources for this information have been provided.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 11Q**SOURCE:** Columbus Park Community Council

**RESPONSE:** The noise measurements were taken to establish typical existing noise levels in the corridor. The traffic counts taken concurrently during the noise measurements were used in the FHWA Traffic Noise Model to check that the definition of the surrounding area, cuts, fills, dense foliage, etc. were properly defined. The measurements were not used to “calibrate” the model. Calibration of the Traffic Noise Model was based on national data collected by the FHWA.

The FHWA Traffic Noise Model, (TNM<sup>®</sup> 2.5)<sup>1</sup> was used to model existing 2003 and design year 2030  $L_{eq}$  noise levels. The design year noise levels were compared to the existing noise levels and to the Noise Abatement Criteria shown in Table IV-17 in the DEIS. The design year noise levels were also used in the noise mitigation analysis to analyze the feasibility of abatement measures for locations projected to experience a noise impact. More detail on the noise model can be found in Chapter IV of the DEIS.

**APPLICABLE REFERENCE:** Chapter IV, H, 2, of the DEIS.

---

<sup>1</sup> Michael C. Lau, Cynthia S. Y. Lee, Gregg G. Judith L. Rochat, Eric R. Boeker, and Gregg C. Fleming. FHWA Traffic Noise Model® Users Guide (Version 2.5 Addendum). Federal Highway Administration, April 2004.

**COMMENT CODE: 11R**

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The noise modeling locations were shown in the DEIS on Exhibit IV-4. However, the locations were not labeled with the receiver identification as it relates to Tables IV-8, IV-9 and IV-10 in Chapter IV of the DEIS. Exhibit IV-4 has been modified to include those identifying labels and included in Chapter IV of this document.

**APPLICABLE REFERENCE:** Chapter IV of the DEIS and FEIS.

---

**COMMENT CODE: 11S**

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The Federal Highway Administration is the lead federal agency for this project and as such, FHWA criteria are followed in performing impact analyses, including noise analysis, not those of the US Department of Housing and Urban Development (HUD).

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 11T**

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The analysis and ambient readings include the collective noise from all detectable sources at each given receptor.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 11U**

**SOURCE:** Columbus Park Community Council

**RESPONSE:** Based on this comment a detailed discussion, per FHWA's guidance, of Mobile Source Air Toxics is included in this Final EIS. Due to the length of the text, please refer to Section B., 1. of Chapter III.

**APPLICABLE REFERENCE:** Chapter III, Section B., 1.

---

**COMMENT CODE: 11V**

**SOURCE:** Columbus Park Community Council

**RESPONSE:** FHWA guidance was used in performing the impact analysis related to environmental justice issues. There has been a concerted effort made to minimize residential displacements so that no residential properties are being taken in full and to minimize other impacts to the adjacent communities and neighborhoods. Public involvement and demographic analysis contributed to identifying and avoiding disproportionate impacts. Vehicular access to neighborhoods has been preserved and an effort made to maintain those routes which are used by public transit. Existing pedestrian access will be maintained. These components of the

---

---

project support neighborhood character and have been developed through a collaborative process between MoDOT, I-29/35 stakeholders, neighborhood representatives and community leaders.

One of the suggestions regarding construction of planned modifications near the intersection of Paseo Boulevard and Independence Avenue is not only an issue of funding but because of FHWA Section 4(f) requirements that preclude any option that would affect Kessler Park and Belvidere Playground if a feasible and prudent alternative exists. Other proposed mitigation measures cannot be fulfilled because they go beyond mitigating for direct and indirect impacts of this project.

Cumulative impacts or effects on people and the built environment could include actions by other agencies within the project area such as the North Kansas City redevelopment project at M-210, 16<sup>th</sup> Avenue Development, Lewis and Clark Expressway, proposed Port Authority riverfront redevelopment, Paseo Boulevard, and the arena/Entertainment District/Bartle Hall/Performing Arts. These are development projects that are independent of the proposed action. These projects would be further supported by improved vehicular access to-and-from north Kansas City, traffic and pedestrian safety from the proposed action. The cumulative effect of the actions of other agencies, in relation to the above-named projects, may result in a more vital area, economically and socially within the Kansas City region. However, the reconstruction of the I-29/35 corridor will not introduce additional cumulative impacts.

Secondary impacts of the build alternatives are expected to be minimal. It is anticipated that maintenance or increased accessibility to the CBD over time would help sustain the current level of employment or possibly support a small growth in employment and re-development of the CBD as an entertainment center.

**APPLICABLE REFERENCE:** Chapter IV, B, 6, and U of the DEIS.

---

**COMMENT CODE:** 11W

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The goal of the proposed action is to efficiently and safely move people goods and service from north to south of the river in the I-35/I-29 corridor. The action being taken to help with the movement of people, goods and services not only helps the mobility of persons between homes and workplaces, but it reduces vehicular congestion that has reputedly contributed adverse elements in the degradation of the communities mentioned in these comments.

FHWA guidance has been used to analyze the impacts that could be foreseen using the current practice in the planning field.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 11X

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The exit ramps from north bound I-35 to US 24/Independence Avenue and from I-70 WB at Admiral, as shown in the Preferred Alternative, are being removed due to the short weave distances between the exit and entrance ramps in this location. Other access points are available nearby to accommodate individuals who desire to exit the interstate system in this

---



corner of the Loop. The concerns that were heard regarding Alternative B in the CBD were related to business and neighborhood impacts and access to North Kansas City. Based on the concerns voiced by this group and others, including the City of North Kansas City, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A. This Alternative will maintain the connection between Independence Avenue and Cherry Street.

**APPLICABLE REFERENCE:** Chapter II of the FEIS.

---

**COMMENT CODE:** 11Y

**SOURCE:** Columbus Park Community Council

**RESPONSE:** The preferred alternative will provide additional vehicle capacity on the interstate system which will reduce travel on the non-interstate arterial and local street system. The alternatives were tested using the regional travel model. A comparison of the model results between the No-Build and Build Alternatives indicated that with the Build Alternatives, traffic volumes were higher on I-29/35 but were less on other routes. Interchange analysis has also been done to show that traffic movements can be accommodated at ramp terminals. Bicycle and pedestrian considerations for streets that intersect with ramp terminals are discussed in the DEIS. Sidewalks will be replaced in locations where they currently exist.

In regards to personal safety for pedestrians, sidewalks that currently exist at the interchanges and on the cross-over streets will be replaced. Other pedestrian access will be considered during design. Safety for pedestrians beyond the footprint of the project is a local issue and would need to be considered by the appropriate local government.

**APPLICABLE REFERENCE:** Chapter IV, F, 3 of the DEIS.

---

**COMMENT CODE:** 12A

**SOURCE:** Housing Authority of Kansas City, Missouri

**RESPONSE:** A hot spot air quality analysis was not required because the 2003 regional transportation plan and the Transportation Improvement Program (TIP) conform with the State Implementation Plan (SIP). Typically hot spot analysis is only done when there is significant delays and idling. In general, the Preferred Alternative would reduce delays and idling that exist currently.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 12B

**SOURCE:** Housing Authority of Kansas City, Missouri

**RESPONSE:** The model used for the noise analysis in the DEIS is the FHWA Traffic Noise Model. The readings that are taken out in the field are done to provide a comparison with the existing model at a number of locations. The model is used to show existing and future noise information. The model is not calibrated with observed noise measurements; it is calibrated using procedures and factors developed by FHWA based upon national data.

---

---

Based on the study completed for the I-29/35 corridor, Noise Barrier 2, Table IV-11 in the DEIS, in the North Subcorridor and Noise Barriers 3 and 4, Table IV-12 in the DEIS, in the CBD North Loop Subcorridor meet MoDOT's feasibility definition along with the engineering and economical aspects of MoDOT's reasonableness criteria. Public informational meetings, both formal and informal, will be conducted during the project development stage to solicit comments, opinions and concerns from local officials and the public.

Should the majority of affected residents at the separate locations impacted concur that noise abatement is desired adjacent to the I-29/35 corridor then the department will consider noise abatement which meets the feasible and reasonable criteria. If substantial changes in horizontal or vertical alignment occur during the remaining stages of design and construction, noise abatement measures will be reviewed. A final Noise Report will be prepared if needed during final design and following all receipt of public comments.

**APPLICABLE REFERENCE:** Chapter III, B, 2, a and Chapter IV, S, 4 of the DEIS.

---

**COMMENT CODE:** 12C

**SOURCE:** Housing Authority of Kansas City, Missouri

**RESPONSE:** Traffic and most construction vibrations (with the exception of pile driving, blasting and some other types of construction/demolition) are considered continuous. However, "safe" levels of continuous vibrations from sources such as traffic are not well defined. Frequently, low level traffic vibrations can cause secondary vibrations, such as slight rattling of doors, windows, dishes, etc. The rattling sound can give rise to complaints, while there is very little risk of damage. When there are existing transportation facilities, obvious vibration causes may be eliminated by resurfacing. Resurfacing old pavement and areas where new pavement is added should help to reduce continuous vibrations.

Construction vibration is a separate issue from the vibrations associated with traffic. A drilling and blasting program will be prepared during design, which would place limits or controls on drilling and blasting activities. The requirements of this program will be governed by local, state and federal regulations.

**APPLICABLE REFERENCE:** Chapter III, B, 2, b and Chapter IV, S, 5 of the DEIS.

---

**COMMENT CODE:** 12D

**SOURCE:** Housing Authority of Kansas City, Missouri

**RESPONSE:** Comment noted.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 13A

**SOURCE:** Missouri Bicycle Federation, Inc.

**RESPONSE:** Comment noted.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE: 13B****SOURCE:** Missouri Bicycle Federation

**RESPONSE:** The evaluation process has been modified to reflect the comment's suggestion. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area.

MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

**APPLICABLE REFERENCE:** Summary and Chapter II of the FEIS.

---

**COMMENT CODE: 13C****SOURCE:** Missouri Bicycle Federation

**RESPONSE:** See response to comment 11N. The public will continue to have the opportunity to provide input throughout the remainder of the NEPA process and into design-build. During the design-build portion of the project there will be opportunities for the public to share their concerns during a range of public involvement activities including public meetings.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE: 13D****SOURCE:** Missouri Bicycle Federation

**RESPONSE:** MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE: 13E****SOURCE:** Missouri Bicycle Federation

**RESPONSE:** See Response 13D.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---



---

**COMMENT CODE:** 13F**SOURCE:** Missouri Bicycle Federation

**RESPONSE:** MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Information related to costs is discussed in Chapter II per crossing alternative.

**APPLICABLE REFERENCE:** Chapter II, J. 4. d. of the FEIS.

---

**COMMENT CODE:** 13G**SOURCE:** Missouri Bicycle Federation**RESPONSE:** See Response 13 D.**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 13H**SOURCE:** Missouri Bicycle Federation**RESPONSE:** See response to 13D.**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 13I**SOURCE:** Missouri Bicycle Federation

**RESPONSE:** MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. The bicycle/pedestrian study, including the issue of connections on either side of the Missouri River, is discussed in Chapter II of this document.

**APPLICABLE REFERENCE:** Chapter II, J. 4. d. of the FEIS.

---

**COMMENT CODE:** 13J**SOURCE:** Missouri Bicycle Federation

**RESPONSE:** Pedestrian and bicyclist considerations are discussed in the DEIS in Chapter IV, Section F. Sidewalks that currently exist will be replaced. Other pedestrian access will be considered during design. MoDOT is committed to getting input from the community about their interests and concerns related, but not limited to, community cohesion, connectivity and access.

**APPLICABLE REFERENCE:** Chapter IV, F of the DEIS.

---

**COMMENT CODE:** 13K**SOURCE:** Missouri Bicycle Federation

**RESPONSE:** MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 13L**SOURCE:** Missouri Bicycle Federation

**RESPONSE:** Pedestrian and bicyclist considerations are discussed in the DEIS in Chapter IV, Section F. Sidewalks that currently exist will be replaced. Other pedestrian access will be considered during design. MoDOT is committed to getting input from the community about their interests and concerns related, but not limited to, community cohesion, connectivity and access.

**APPLICABLE REFERENCE:** Chapter IV, F of the DEIS.

---

**COMMENT CODE:** 14A**SOURCE:** Port Authority of Kansas City, Missouri

**RESPONSE:** See response to comment 11N. FHWA and MoDOT are committed to involving the public in successfully developing and delivering the project as we move through the design-build process. Prior to awarding the design-build contract, public involvement activities will include a project Web site, newsletters and communications with adjacent property owners, MoDOT also will work advisory group of community representatives, appointed by elected and civic leaders. This group will help the project team identify and capture public priorities for various aspects of the project. These ideas will be summarized and broadly shared with members of the project team, prospective contractors and the public. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. In addition, MoDOT will hold a public meeting prior to awarding the design-build contract to capture and document the public's priorities for the project. MoDOT also will seek out public events where project information and team members can be made available.

Once a contractor is selected, MoDOT will hold a second public meeting where the selected contractor would be available to answer questions, share their design, and get input from the public on that design. Outreach through the project's Web site and newsletter, as well as outreach to impacted property owners, will continue after the award of the design-build contract. Finally, MoDOT will work with the selected contractor to develop and implement plans to inform

---

---

the public of property impacts, including traffic management plans.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 14B

**SOURCE:** Port Authority

**RESPONSE:** MoDOT is committed to continuing discussions with the public and key stakeholders regarding community priorities, which includes input regarding closures during construction. A maintenance of traffic plan will be developed for the construction phase of the project. The EIS has identified the possibility that the Paseo Bridge or other portions of the corridor could be closed during all or part of the construction period subject to the details that will be worked out during the design-build process. Public involvement and opportunity for input will continue into the design-build phase of the project when more information related to the design is available. MoDOT will coordinate with area businesses regarding access issues, via direct communication throughout the construction period.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 14C

**SOURCE:** Port Authority

**RESPONSE:** The interchanges shown in the DEIS are illustrative concepts used to develop a project footprint and estimate impacts. Two illustrative concepts are carried forward as part of the Preferred Alternative. A specific interchange design at Front Street will be developed during the design-build process. MoDOT is committed to continuing coordination with the Port Authority regarding the interchange layout at Front Street in light of the Port Authority's contribution of funds.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 14D

**SOURCE:** Port Authority

**RESPONSE:** The evaluation process has been modified to reflect the comment's suggestion. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area.

**APPLICABLE REFERENCE:** Chapter II of the FEIS.

---

**COMMENT CODE:** 14E

**SOURCE:** Port Authority

---



**RESPONSE:** As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

**APPLICABLE REFERENCE:** Chapter II, J. 4. d. of the FEIS.

---

**COMMENT CODE:** 14F

**SOURCE:** Port Authority

**RESPONSE:** The concerns that were heard regarding Alternative B in the CBD were related to business and neighborhood impacts and access to North Kansas City. Based on the concerns voiced by this group and others, including the City of North Kansas City and Columbus Park residents, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. Because of these concerns and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A.

**APPLICABLE REFERENCE:** Chapter II of the FEIS.

---

**COMMENT CODE:** 14G

**SOURCE:** Port Authority

**RESPONSE:** Local hiring preferences are not allowed under recently revised 23 CFR § 636.107. Note, this "revision" codifies the FHWA "policy" previously in effect but not written. Also please note this rule has been published in the Federal Register (May 25, 2006) as a proposed rule for public comment, but has not formally been adopted. There are, however, in place various federal statutes and regulations regarding utilization of DBE and providing on-the-job training of underutilized workforce and MoDOT is fully committed to following all such laws.

**APPLICABLE REFERENCE:** None.

---

---

**COMMENT CODE: 15A**

**SOURCE:** Joint Response – Regional Transit Alliance (RTA), Downtown Council of Kansas City (DTC), American Institute of Architects-Kansas City (AIA-KC), Kansas City Design Center (KCDC)

**RESPONSE:** The DEIS does evaluate a Preferred Alternative and other alternatives which identify a footprint that is used to perform an analysis of the impacts. Chapter IV of the DEIS goes into detail about the impacts of the alternatives. The goal of design-build is to deliver the project faster and reduce costs as compared with more traditional approaches. The process encourages innovations in design, traffic management and construction phasing. The DEIS also explores mitigation for those impacts where mitigation is needed.

FHWA and MoDOT are committed to involving the public in successfully developing and delivering the project as it moves through the design-build process. Prior to awarding the design-build contract, public involvement activities will include a project Web site, newsletters and communications with adjacent property owners, MoDOT also will work advisory group of community representatives, appointed by elected and civic leaders. This group will help the project team identify and capture public priorities for various aspects of the project. These ideas will be summarized and broadly shared with members of the project team, prospective contractors and the public. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. In addition, MoDOT will hold a public meeting prior to awarding the design-build contract to capture and document the public's priorities for the project. MoDOT also will seek out public events where project information and team members can be made available.

Once a contractor is selected, MoDOT will hold a second public meeting where the selected contractor would be available to answer questions, share their design, and get input from the public on that design. Outreach through the project's Web site and newsletter, as well as outreach to impacted property owners will continue after the award of the design-build contract. Finally, MoDOT will work with the selected contractor to develop and implement plans to inform the public of property impacts, including traffic management plans.

**APPLICABLE REFERENCE:** Chapter IV of the DEIS and Summary of the FEIS.

---

**COMMENT CODE: 15B**

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** For this proposed action, the north terminus of the I-29/35 and I-35/70 Study Corridor is defined at M-210/Armour Road with the south terminus of the study corridor at US 169/Broadway Boulevard on the north side of the CBD Loop. These freeway sections were constructed prior to the designation and construction of an interstate highway system. The project corridor includes the former Sixth Street Expressway (now the north side of the CBD Loop) and the Paseo Boulevard Extension (now part of I-29/35). These sections of I-29/35 and I-35/70 have close interchange spacing, improper lane balance, narrow traffic shoulders and less lane traffic capacity than do adjacent freeway sections to the north of M-210/Armour Road and sections outside the CBD freeway Loop that were built later. This section of freeway is a traffic capacity "bottleneck" and is the focus of the proposed action. The I-29/35 Paseo Bridge crossing of the Missouri River is four lanes wide, with narrow shoulders. For these reasons, the proposed action has logical termini. The proposed action will not foreclose transportation options to the north of the project termini or to the adjacent sections of the CBD freeway loop.

---

The CBD North Loop Subcorridor received was examined at the same level of detail as the other subcorridors in this project including evaluations of traffic, safety and congestion and other factors. The preferred alternative will provide additional vehicle capacity on the interstate system which will reduce travel on the non-interstate arterial and the local street system. Interchange analysis have been done to show that traffic movements can be accommodated. MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor since the Draft EIS. Because of the concerns from Columbus Park, North Kansas City and others, and the additional costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A which was comprehensively assessed in the Draft EIS.

Although funding is not available at this time, the CBD North Loop Subcorridor should continue to be a part of this NEPA process so that as funding becomes available the project can be moved forward.

**APPLICABLE REFERENCE:** Chapter I and II of the DEIS.

---

**COMMENT CODE:** 15C

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** Prior to this EIS, the Northland~Downtown MIS looked at the origins and destinations of different types of vehicles. The MIS indicated that 40 percent of traffic entering the Loop was destined to the Loop. This was confirmed in the traffic analysis completed for the EIS. Consideration of the impact of adding vehicle capacity to I-29/35 on the Downtown Loop was given. Model results of the No-Build Alternative indicate traffic congestion would occur within the Loop at the northwest corner, the northeast corner of the Loop. The Preferred Alternative includes adding lane capacity at the northwest and northeast corners of the loop. These components will address traffic volume increases into the loop associated with the initial widening of I-29/35 to six lanes. In the analysis additional loop capacity and operational changes beyond that proposed in this EIS may be needed to maintain Level of Service (LOS) within the Loop with any further widening beyond six lanes of I-29/35. Future potential changes to the Loop and Loop traffic operation issues associated with connectivity intersecting freeways are also discussed in the Loop Master Plan. The LOS for the Build Concepts is presented in Tables II-11, II-12 and II-13. The LOS analysis summarized in these tables indicates acceptable levels of service on the north side of the Loop.

The MIS looked at four lanes plus two lanes for HOV for a larger area than the I-29/35 Study Corridor during southbound AM peak hour. The DEIS looked at six lanes, reserving two for HOV and showed a minimal travel time savings with a similar result of less person trip movement with HOV lanes than with the multi-purpose lanes. HOV was not shown to be cost effective for mitigating congestion. However, strategies such as HOV lanes are not precluded in the study corridor and can be considered as part of a regional HOV strategy in the future.

**APPLICABLE REFERENCE:** Summary, Chapters I and II of the DEIS. MIS Preferred Strategy Report: Transit and Highway Travel Demand, Section 5.0 High Occupancy Vehicle (HOV) Analysis; HOV Assessment, HOV Lanes (Alternative D) Fatal Flaw Assessment of I-29 HOV Improvements Table.

---

**COMMENT CODE:** 15D

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

---



---

**RESPONSE:** The Purpose and Need addresses the issue of better connectivity between Downtown, the Northland and the metropolitan area. The MIS indicated that 40 percent of the traffic entering the Loop is destined for that location. The Loop analysis is addressed in Response 15C. MoDOT is working to address the safe and efficient movement of people and goods while maintaining access where possible and without creating additional environmental or social impacts.

**APPLICABLE REFERENCE:** Chapter I of the FEIS.

---

**COMMENT CODE:** 15E

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The evaluation process has been modified to reflect the role of transit as part of the Preferred Alternative. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area.

**APPLICABLE REFERENCE:** Summary and Chapter II of the FEIS.

---

**COMMENT CODE:** 15F

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

**APPLICABLE REFERENCE:** Chapter II, J. 4. d. of the FEIS.

---

**COMMENT CODE:** 15G

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The design-build process is acceptable for this project. This NEPA EIS analytical process is considering the issues and identifying constraints while making the necessary commitments to provide a framework for the design-build process. It provides a sufficient understanding and “hard look” analysis of the social and environmental impacts of the project required to meet the community’s transportation needs, as well as defining the parameters of the design-build process.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15H

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** We have written the Final EIS with new text and some revised graphics to address this concern, and make the document and its analysis more understandable to all readers.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15I

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The DEIS is not biased. It builds on the analysis done in the MIS regarding highway, transit, bicycle and pedestrian facilities for the Northland~Downtown metro area. Further analysis has been performed during this NEPA process, resulting in the Final EIS.

In many parts of the country, including Missouri, the identification of a preferred alternative in the Draft EIS is acceptable. The U.S. EPA occasionally has suggested that we identify a preferred alternative in the Draft EIS, to focus comments on that option. After the comments have been received and considered, we can select a different alternative as the preferred in the Final EIS, if that action is warranted and appropriate. The final decision is made only at the conclusion of the NEPA process, in the Record of Decision (ROD).

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15J

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The Purpose and Need was originally developed in support of the regional goals and objectives of Transportation Outlook 2030 and the Northland~Downtown MIS as well as KCMO’s “Focus” Plan.

The goals and objectives addressed in the Northland~Downtown MIS were; System Preservation, Personal Mobility and Quality of Life, Safety, Land Use and Development,

---

---

Regional Economy, System Management and Efficiency and Cost Effectiveness. It is important to note that the Downtown Northland MIS studied all three river crossings in the CBD and the “Preferred Strategy” in that report concluded that the I-29/I-35 (Paseo Crossing) is where additional highway capacity needs to be added. The transit and non-motorized strategies were identified in the MIS on other existing or proposed bridges in the CBD.

The Purpose and Need for the Paseo EIS was also developed in coordination with regional stakeholders, resource and regulatory agencies, as well the general public through an extensive public involvement process. The overview of the Purpose and Need, in Chapter I, outlines six items deemed as the critical project needs for this project, all of which helped to frame the alternatives development and evaluation process. The Purpose and Need has been revised to reflect consideration of non-vehicle travel modes. The Purpose and Need of the project is to efficiently and safely move people, goods and service from north to south of the river in the I-35/I-29 corridor.

The Initial Concepts included a High Capacity Transit Concept and a Bicycle and Pedestrian Concept. These concepts fell out as stand-alone concepts as they did not by themselves, fully address the Purpose and Need of the project. However they are described as supportive elements to the Preferred Alternative. As such, MoDOT has committed to work with MARC and KCATA along with others to analyze transit services and look for opportunities to support the KCATA to enhance transit in the study area.

MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

Crossings of the I-29/35 interstate corridor will be considered in the detail design of the interchanges in the corridor. These commitments are being made in an effort to continue to look for opportunities to increase modal choice.

This EIS is not intended to and does not try to forcibly change community needs and desires through “social engineering”. Increases in the amount of vehicle travel suggest that there is a regional, Midwestern preference for personal vehicle commuting and travel, and the flexibility that it provides. Even with rising fuel prices, that preference for vehicular commuting remains. We are responding to that community and regional preference within the scope of the MIS’s identified objectives and our funding authority.

**APPLICABLE REFERENCE:** Chapter 1, B. MIS Preferred Strategy Report, Problem Definition, Section 4.0 Transportation Goals and Objectives, Preferred Strategy Section 1.0, page 1, Section 4.0, page 2.

---

**COMMENT CODE:** 15K

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The MIS laid the foundation for this project, which developed different goals and objectives relating to the movement of people and goods across the Missouri River and in the CBD through vehicles and transit, as well as bicycles and pedestrian travel. This NEPA

---

---

analysis and its alternatives build on that MIS, and the transportation objectives assigned to MoDOT and FHWA by that MIS. It is not intended to address and solve all the transportation needs of the metro area. Bus transit can be helped by this project, but in accordance with the MIS analysis, the major area transit needs must be addressed through other public entities functioning in that area, such as KCATA and FTA.

This project, and its discussion and analysis of alternatives, are viewed through the findings and objectives of the MIS, which determined vehicular transportation, transit, bicycle and pedestrian needs. MoDOT and FHWA are considering all alternatives within the scope of these agencies' transportation functions and responsibilities. We have been and are considering options with less than eight travel lanes, although we are analyzing the corridor for potential future highway capacity growth needs as well. The alternatives that most respond to the purpose and need for action, are within the guidance provided within the MIS, and that are within the funding capabilities of our agencies.

**APPLICABLE REFERENCE:** Chapter I and II of the DEIS.

---

**COMMENT CODE:** 15L

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** Rehabilitation and preservation of the existing bridge *is* considered as an element of some of the alternatives being considered. The quoted sentence did not say, and does not mean, that the existing bridge cannot be rehabilitated and preserved for a number of years. What it does say is that *if* the existing bridge is rehabilitated and preserved to handle I-29/I-35 traffic, this historic bridge structure alone is not capable of handling that traffic. It would require a companion river bridge to assist in carrying this traffic load. See the description and analysis of the alternatives considered in Chapter II of the DEIS and the FEIS, which include bridge preservation options.

**APPLICABLE REFERENCE:** Programmatic Section 4(f) Evaluation in Appendix E of the DEIS.

---

**COMMENT CODE:** 15M

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The proposed action is not analyzing the construction of a totally new highway that could pass through an urban area at any number of locations. The project involves the reconstruction of existing interstate facilities in a narrow corridor, while improving connectivity to the Central Business District, to the Northland, and to a number of adjacent interstate and other major highways. The future use of the existing interstate bridge structure is also considered. Within these parameters, MoDOT and FHWA has chosen not to relocate this entire dual interstate highway facility so it will still serve its purposes and needs in the metro area, without impacting low income and minority populations to the greatest extent possible.

Our analysis includes reasonable steps to minimize noise and visual impacts. And for those residents of the area who own no vehicle, bus service may be available through KCATA. We encourage continued use of bus rapid transit or other local bus routes to serve these area residents.

**APPLICABLE REFERENCE:** None.

---



---

**COMMENT CODE:** 15N**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** Comments about the lack of objectivity in the text of the DEIS do not consider the roots of this document. This “Purpose and Need” of the DEIS was developed in support of the regional goals and objectives of Transportation Outlook 2030 and the Northland~Downtown MIS as well as the KCMO “Focus” plan. The Northland~Downtown Major Investment Study (MIS) considers several modes of transportation, and assigns roles and responsibilities to each. The Northland~Downtown MIS was a joint study funded and managed by MARC, MoDOT and KCATA. It is not our function in this document, as expressed in the Purpose and Needs statement, to be fulfilling all goals and objectives of the MIS throughout the northern metro area. Rather, this DEIS addresses the needs of the vehicular transportation element within the I-29/35 Study Corridor.

This EIS is not intended to and does not try to forcibly change community needs and desires through “social engineering”. Increases in the amount of vehicle travel suggest that there is a regional, Midwestern preference for personal vehicle commuting and travel, and the flexibility that it provides. Even with rising fuel prices, that preference for vehicular commuting remains. We are responding to that community and regional preference within the scope of the MIS’s identified objectives and our funding authority.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15O**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The Missouri Division of FHWA has determined that the style in which this EIS is prepared is acceptable to them.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15P**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC**RESPONSE:** See response to 15G.**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15Q**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The Northland~Downtown MIS looked at constructing a “New Highway River Crossing”. This crossing was analyzed east of existing Paseo at Chestnut Trafficway. Traffic modeling indicated it would not alleviate congestion on the downtown bridges and the alignment would impact the historical northeast section of the city adversely. This relocated facility would

---

adversely impact disadvantaged groups.

This DEIS discusses reconstruction of an existing interstate facility, within a relatively narrow corridor. Relocating this facility elsewhere would be extraordinarily expensive, would not serve the needs of the public as well, and would be neither feasible nor prudent. The location of this project is not motivated by the presence of minority or poor populations, and such a suggestion is both unfounded and inappropriate.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15R

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** See response to 15N.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15S

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** MoDOT has successfully employed Context Sensitive Design on projects throughout the state, including Kansas City.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15T

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** Highway traffic forecasting is an accepted method of determining what is needed for vehicular transportation in the future so newly-constructed facilities are not obsolete whenever opened. No “mandate” is suggested in the EIS. The implication that we are not cooperating with other agencies in this proposed action is false. Please refer to the comment letters from the agencies presented in the Final EIS.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15U

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The Northland~Downtown MIS analyzed the impacts of a widened interstate on the downtown loop as well as a future no-build impact on the downtown loop. Additionally, MoDOT and KCMO have funded a “Downtown Loop Master Plan” which includes a operational computer model of the downtown loop and the city street system. Based on both analysis the downtown loop will function adequately with a six lane I-35 with some minor modifications to the

---

---

loop in the near term. Expansion of the corridor to 8 lanes in the future would require additional capacity in the future in order to not shift congestion onto the CBD Loop. Analysis done in the MIS, preceding the project EIS, looked at the effects such a project would have on the downtown loop roadway. Regarding project termini, those identified are logical and do not preclude options beyond the limits of this independent project, as required by the FHWA.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15V

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** With the EIS, MoDOT and other transportation providers have looked at “a coordinated, multi-modal, multi-agency approach.” The Northland~Downtown MIS analysis indicated a continued growth in travel from the personal vehicles. That MIS also identified agency transportation desires and responsibilities, and the EIS is addressing the vehicular needs and proposed solutions for the I-29/35 Study Corridor.

Also, referring to the previous comment (15U), the same argument used about travelers “not just going to limit their trips to driving up and down the 4.7 miles of widened highway” lends support to the futility of adding only 4.7 miles of HOV lanes in the limits of the Paseo corridor. And, given the MIS, this EIS is not the vehicle to examine system-wide HOV opportunities, especially since this EIS does not preclude an option for HOV if warranted once such a study is completed.

**APPLICABLE REFERENCE:** Chapter II of the FEIS.

---

**COMMENT CODE:** 15W

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The evaluation process has been modified to reflect the comment’s suggestion. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area.

As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the

---

---

2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

**APPLICABLE REFERENCE:** Summary and Chapter II of the FEIS..

---

**COMMENT CODE:** 15X

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** MoDOT supports other modes of transportation. Funding opportunities for these facilities may come from a variety of funding sources, such as the Transportation Enhancement funds program. All of which, including MoDOT funds are decided upon through the regional planning process at the MARC. The statement, “In other words, pedestrian and bicycle modes will have the MoDOT’s ‘support’ elsewhere in the future but only if it costs MoDOT nothing” is false. The DEIS text was meant to indicate that other funding opportunities for facilities, such as those funded by the Transportation Enhancement program, which includes a substantial federal funding component, are available through a process that is operated locally by MARC as the MPO.

The evaluation process has been modified to reflect the comment’s suggestion. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area.

This EIS is not intended to and does not try to forcibly change community needs and desires through “social engineering”. Increases in the amount of vehicle travel suggest that there is a regional, Midwestern preference for personal vehicle commuting and travel, and the flexibility that it provides. Even with rising fuel prices, that preference for vehicular commuting remains. We are responding to that community and regional preference within the scope of the MIS’s identified objectives and our funding authority.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15Y

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The conclusions of this EIS are supported by much more rigorous analyses, especially in the context of the previous MIS that identified the vehicular focus of the Paseo corridor.

**APPLICABLE REFERENCE:** None.

---



---

**COMMENT CODE:** 15Z**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC**RESPONSE:** See response to 15Y.**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15AA**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The comment, in part, reads, “Therefore, it is not acceptable to take the position that, because the original freeway damaged the area extensively, it is o.k. to damage it some more with a bigger freeway.” MoDOT and FHWA are not taking that position. However, with the vehicular needs identified in the MIS and confirmed in the EIS, to consider a new vehicular corridor which would have more substantial impacts, including impacts to disadvantaged persons in order to direct travelers to their intended destinations (predominantly downtown Kansas City) is not wise. Diverting hypothetical solutions away from an existing interstate corridor, and proposing solutions in “social engineering for transportation” that have not been supported by a majority of the public, is not a prudent approach.

The Northland~Downtown MIS looked at constructing a “New Highway River Crossing”. This crossing was analyzed east of existing I-29/35 at Chestnut Trafficway. Traffic modeling indicated it would not alleviate congestion on the downtown bridges and the alignment would impact the historical northeast section of the city adversely. This relocated facility would adversely impact disadvantaged groups.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15BB**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** Project planning and preliminary design goes beyond simply “bringing tens of thousands more motor vehicles through the neighborhoods and community at higher speeds.” We have assessed potential impacts of alternatives and mitigation and are making commitments to work with communities to address those and provide a solution that is sensitive to their concerns.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15CC**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** See response to 15Y. Also, proposing to divert dedicated transportation money for other potentially desirable actions “increasing densities, beautifying parks, building non-car transportation facilities [considered in the MIS and EIS], developing infill and affordable housing, investing in schools, implementing safety modifications [considered in the MIS and EIS], etc” is not consistent with current federal, state or regional policies. Transportation money has to be

---

---

used for transportation, and if it is not used in the Paseo interstate corridor, it will be used for transportation elsewhere. That will still leave the transportation problems at the Paseo corridor unaddressed.

We can concur that congestion on an interstate highway system, with its traffic volumes, is undesirable. Stagnant traffic on the interstate system can affect such aspects as air quality, for example. Hence, congestion on the interstate system is one of the problems the proposed project is expected to address.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15DD

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** Uncontrolled access from travelways can affect the access opportunities that are warranted and can diminish the safety of travelers including pedestrians. Questions about accessibility and mobility have to be assessed within the context of the different levels of transportation systems being examined.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15EE

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The comment states, "...the choice of an interstate was the wrong choice of street-type for the context..." referring to the Central Business District loop. The purpose for this project is not to reassess the transportation needs of 1955, rather to address transportation needs and alternatives in the I-29/35 Study Corridor now and in the future.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15FF

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The goals and objectives of the City North Kansas City and the City of Kansas City have been and are being considered as this project develops. That builds from coordination that occurred in the MIS process. Chapter V of both the Draft EIS and the Final EIS details the coordination held with all stakeholders who were adding input and/or expressing concerns about the proposed project.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15GG

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

---

---

**RESPONSE:** The I-29/35 Study Corridor was identified for transportation improvements in the MIS that looked at comprehensive transportation options between the Downtown and the Northland. Using the full-build approach allows for establishing right of way limits as the limits of that footprint, based upon the layouts of effective design options considered. The impact analysis has sought to minimize the direct impacts caused by such a footprint as well as the indirect impacts expected from the full-build scenario.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15HH

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** Focusing on “the highway widening project” overlooks the comprehensive transportation needs analysis in the MIS that identified the I-29/35 Study Corridor component of Kansas City’s Northland Downtown multi-modal transportation needs, and those needs identified in the EIS.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 15II

**SOURCE:** Joint Response – RTA, DTC, AIA-KC, KCDC

**RESPONSE:** The I-29/35 Study Corridor has been identified as an element of the transportation solutions generated in the MIS that immediately preceded it. The recommendations of the MIS and this EIS have been done achieved through using a community and interagency processes.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 16A

**SOURCE:** River Crossing Committee

**RESPONSE:** See response to comment 11N. One of the goals of the design-build process is to build a noteworthy bridge. MoDOT is working with a community advisory group to get input on the priorities and concerns of the community. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. Further public involvement on the specifics of the bridge type and design is expected to occur following the NEPA process, prior to awarding the design-build contract so that the public can provide input on what they see as the community’s priorities and again once the contractor has been selected and design details are available for sharing with the public.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 16B

**SOURCE:** River Crossing Committee

---

**RESPONSE:** The EIS has identified the possibility that the Paseo Bridge or other portions of the corridor could be closed during all or part of the construction period subject to the details that will be worked out during the design-build process. MoDOT is committed to continuing discussions with the public and key stakeholders regarding community priorities, which includes input regarding closures during construction. A maintenance of traffic plan will be developed for the construction phase of the project. Public involvement and opportunity for input will continue into the design-build phase of the project when more information related to the design and construction methods is available. MoDOT will coordinate with area businesses regarding access issues, via direct communication throughout the construction period.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 16C

**SOURCE:** River Crossing Committee

**RESPONSE:** FHWA and MoDOT are committed to involving the public in successfully developing and delivering the project as we move through the design-build process. Prior to awarding the design-build contract, public involvement activities will include a project Web site, newsletters and communications with adjacent property owners, MoDOT also will work advisory group of community representatives, appointed by elected and civic leaders. This group will help the project team identify and capture public priorities for various aspects of the project. These ideas will be summarized and broadly shared with members of the project team, prospective contractors and the public. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. In addition, MoDOT will hold a public meeting prior to awarding the design-build contract to capture and document the public's priorities for the project. MoDOT also will seek out public events where project information and team members can be made available.

Once a contractor is selected, MoDOT will hold a second public meeting where the selected contractor's design would be shared with the public. Outreach through the project's Web site and newsletter, as well as outreach to impacted property owners will continue after the award of the design-build contract. Finally, MoDOT will work with the selected contractor to develop and implement plans to inform the public of property impacts, including traffic management plans.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 16D

**SOURCE:** River Crossing Committee

**RESPONSE:** The concerns that were heard regarding Alternative B in the CBD were related to business and neighborhood impacts and access to North Kansas City. Based on the concerns voiced by this group and others, including North Kansas City and Columbus Park residents, MoDOT has re-examined the Preferred Alternative in the CBD North Loop Subcorridor. Because of these concerns and the higher costs associated with Alternative B, the Preferred Alternative for the CBD North Loop Subcorridor is now Alternative A. Alternative A will maintain access at M-9, as it currently exists.

**APPLICABLE REFERENCE:** Chapter II, H, 3 of the FEIS.

---



---

**COMMENT CODE:** 16E**SOURCE:** River Crossing Committee

**RESPONSE:** The Interchange Alternative Analysis in Appendix B of the DEIS discussed the alternatives at Broadway and that the flyover alternative that was shown in the MIS was eliminated from further consideration. This alternative was eliminated because of the impacts to right of way, Section 4(f)/6(f) properties and the project cost for this alternative.

**APPLICABLE REFERENCE:** Appendix B, 8 of the DEIS.

---

**COMMENT CODE:** 17A**SOURCE:** Sierra Club, Ozark Chapter

**RESPONSE:** The DEIS contains information and analysis using the most recent traffic forecasts and methodology developed by MARC. Information about development and travel forecast methodologies is based on the most current information available. Recent fuel price increases have increased concern regarding future resource constraints. At this time the effect of recent price increases on the amount of travel is not known. Fuel price and supply may result in shifts to higher fuel efficient vehicles or may spur technology changes rather than impact the amount of travel, or could influence trip-making. Established processes and procedures have been used in this EIS that currently do not include speculation about future resource constraints. MARC has received a similar comment on their Long Range Transportation Plan update and they are beginning to investigate how rising fuel costs may effect travel behavior.

**APPLICABLE REFERENCE:** Chapter I of the DEIS.

---

**COMMENT CODE:** 17B**SOURCE:** Sierra Club, Ozark Chapter

**RESPONSE:** The Purpose and Need was originally developed in support of the regional goals and objectives of Transportation Outlook 2030 and the Northland~Downtown MIS as well as KCMO's "Focus" Plan.

The goals and objectives addressed in the Northland~Downtown MIS were; System Preservation, Personal Mobility and Quality of Life, Safety, Land Use and Development, Regional Economy, System Management and Efficiency and Cost Effectiveness. It is important to note that the Downtown Northland MIS studied all three river crossings in the CBD and the "Preferred Strategy" in that report concluded that the I-29/I-35 (Paseo Crossing) is where additional highway capacity needs to be added. The transit and non-motorized strategies were identified in the MIS on other existing or proposed bridges in the CBD.

The Purpose and Need for the Paseo EIS was also developed in coordination with regional stakeholders, resource and regulatory agencies, as well the general public through an extensive public involvement process. The overview of the Purpose and Need, in Chapter I, outlines six items deemed as the critical project needs for this project, all of which helped to frame the alternatives development and evaluation process. The Purpose and Need has been revised to reflect consideration of non-vehicle travel modes. The Purpose and Need of the project is to efficiently and safely move people, goods and service from north to south of the river in the

---

I-29/I-35 corridor.”

The Initial Concepts included a High Capacity Transit Concept and a Bicycle and Pedestrian Concept. These concepts fell out as stand-alone concepts as they did not by themselves, fully address the Purpose and Need of the project. However they are described as supportive elements to the Preferred Alternative. As such, MoDOT has committed to work with MARC and KCATA along with others to analyze transit services and look for opportunities to support the KCATA to enhance transit in the study area. As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

Crossings of the I-29/35 interstate corridor will be considered in the detail design of the interchanges in the corridor. These commitments are being made in an effort to continue to look for opportunities to increase modal choice.

**APPLICABLE REFERENCE:** Chapter I of the FEIS.

---

**COMMENT CODE:** 17C

**SOURCE:** Sierra Club, Ozark Chapter

**RESPONSE:** A study corridor was identified to serve as the limits of the study area. The study corridor was used to identify potential constraints and issues of concern. As Initial Concepts were defined for the project, the focus of analysis narrowed. Indirect impacts are often looked at on a much broader scale as appropriate for the resource. For example, impacts to water quality can be broader than the direct impacts that might take place within a project footprint or issues of connectivity can be looked at on a metropolitan, statewide or even national level depending on the project.

A detailed discussion of Mobile Air Source Toxics has been added to this Final EIS.

---

---

**APPLICABLE REFERENCE:** Chapter III of the FEIS.

---

**COMMENT CODE:** 17D

**SOURCE:** Sierra Club, Ozark Chapter

**RESPONSE:** The Initial Area of Investigation is defined geographically on Exhibit III-1 in the DEIS. This area was defined in order to provide a way to gather data within a specific geographic location to help determine the impacts of the different alternatives that were examined. Impacts that are less easily defined, such as social and economic issues are looked at more broadly. The impacts are described in Chapter IV then, based upon the footprint for a particular alternative.

A detailed discussion, per FHWA's guidance, of Mobile Source Air Toxics is included in this Final EIS. Due to the length of the text, please refer to Section B., 1. of Chapter III.

**APPLICABLE REFERENCE:** Exhibit III-1 and Chapter IV of the DEIS and Chapter III, B.1. of the FEIS.

---

**COMMENT CODE:** 17E

**SOURCE:** Sierra Club, Ozark Chapter

**RESPONSE:** The preferred alternative will provide additional vehicle capacity on the interstate system which will reduce travel on the non-interstate arterial and local street system. The alternatives were tested using the regional travel model. A comparison of the model results between the No-Build and Build Alternatives indicated that with the Build Alternatives, traffic volumes were higher on I-29/35 but were less on other routes. Interchange analysis has also been done to show that traffic movements can be accommodated at ramp terminals. Bicycle and pedestrian considerations for streets that intersect with ramp terminals are discussed in the DEIS. Sidewalks will be replaced in locations where they currently exist.

**APPLICABLE REFERENCE:** Chapter IV, F, 3, of the DEIS.

---

**COMMENT CODE:** 17F

**SOURCE:** Sierra Club, Ozark Chapter

**RESPONSE:** The evaluation process has been modified to reflect the comment's suggestions. Initial concepts that were less effective in meeting the purpose and need were not carried forward as primary stand-alone concepts. Elements from transit and bicycle options are included and indicated as supportive components of the Preferred Alternative. MoDOT is committed to continued coordination with MARC, KCATA and others to look for opportunities to support enhancements of transit in the study area. MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

The comment lists a number of items that could be used as traffic management techniques. These types of strategies are considered to be part of Transportation System Management and Travel Demand Management. Both of these management approaches were considered in this

---

---

EIS. None of the management techniques that are listed in the comment are precluded by the Preferred Alternative. These techniques can be implemented whenever there is a desire by the region to incorporate them and once planners analyze them for an area larger than this EIS study corridor.

**APPLICABLE REFERENCE:** Chapter I and II of the DEIS and the FEIS.

---

**COMMENT CODE:** 17G

**SOURCE:** Sierra Club, Ozark Chapter

**RESPONSE:** The DEIS does evaluate a Preferred Alternative and other Build Alternatives which identifies a footprint that is used to perform an analysis of the impacts. Chapter IV of the DEIS goes into great detail about the impacts of the alternatives. The goal of design-build is to deliver the project faster and reduce costs as compared with more traditional approaches. The process encourages innovations in design, traffic management and construction phasing.

FHWA and MoDOT are committed to involving the public in successfully developing and delivering the project as we move through the design-build process. Prior to awarding the design-build contract, public involvement activities will include a project Web site, newsletters and communications with adjacent property owners, MoDOT also will work advisory group of community representatives, appointed by elected and civic leaders. This group will help the project team identify and capture public priorities for various aspects of the project. These ideas will be summarized and broadly shared with members of the project team, prospective contractors and the public. MoDOT is committed to including the Community Advisory Group in making the decision regarding the bridge type. In addition, MoDOT will hold a public meeting prior to awarding the design-build contract to capture and document the public's priorities for the project. MoDOT also will seek out public events where project information and team members can be made available.

Once a contractor is selected, MoDOT will hold a second public meeting where the selected contractor would be available to answer questions, share their design, and get input from the public on that design. Outreach through the project's Web site and newsletter, as well as outreach to impacted property owners will continue after awarding the design-build contract. Finally, MoDOT will work with the selected contractor to develop and implement plans to inform the public of property impacts, including traffic management plans.

**APPLICABLE REFERENCE:** Chapter IV of the DEIS.

---

**COMMENT CODE:** 18

**SOURCE:** State Representative Mike Sutherland

**RESPONSE:** Bicycle and pedestrian considerations are discussed in the DEIS. MoDOT has committed to continuing discussions with MARC and other organizations on possible Missouri River crossing locations for a bicycle/pedestrian facility. As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional

---



---

policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

Sidewalks will be replaced in locations where they currently exist.

**APPLICABLE REFERENCE:** Chapter IV, F, 3, of the DEIS and Summary of the FEIS.

---

**COMMENT CODE:** 19A

**SOURCE:** U.S. Department of Housing and Urban Development (HUD)

**RESPONSE:** Bicycle and pedestrian considerations are discussed in the DEIS. MoDOT has committed to continuing discussions with MARC and other organizations on possible Missouri River crossing locations for a bicycle/pedestrian facility. As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

---

Sidewalks will be replaced in locations where they currently exist.

**APPLICABLE REFERENCE:** Chapter IV, F, 3, of the DEIS and Summary of the FEIS.

---

**COMMENT CODE:** 19B

**SOURCE:** HUD

**RESPONSE:** The noise modeling locations were shown in the DEIS on Exhibit IV-4. However, the locations were not labeled with the receiver identification as it relates to Tables IV-8, IV-9 and IV-10 in Chapter IV of the DEIS. Exhibit IV-4 has been modified to include those identifying labels and included in Chapter IV of this document. Providing this information allows for the ability to see further where these receivers are located and what areas are truly being impacted. Those barriers shown on the exhibit are those that were both reasonable and feasible. Those benefited individuals who live near a proposed barrier will have an opportunity to meet with MoDOT and decide whether or not they desire noise mitigation.

**APPLICABLE REFERENCE:** Chapter IV of the FEIS.

---

**COMMENT CODE:** 20

**SOURCE:** City of Kansas City, Missouri Resolution

**RESPONSE:** Bicycle and pedestrian considerations are discussed in the DEIS. MoDOT has committed to continuing discussions with MARC and other organizations on possible Missouri River crossing locations for a bicycle/pedestrian facility. As a result of the comments received on the DEIS, MoDOT, in partnership with MARC, conducted a study to identify and evaluate potential bicycle/pedestrian facilities across the Missouri River in the downtown Kansas City area. Representatives from Kansas City, North Kansas City, KCATA, Missouri Bicycle Federation and FHWA were included on the study team. The study included conceptual designs that were of sufficient detail to facilitate discussions and decisions regarding reasonable alternatives for potential facilities. The analysis included federal, state, local and regional policies applicable to bicycle/pedestrian accommodations. Funding for this improvement may come from one or a combination of available funding sources. This commitment can be met through the use of existing or future MoDOT district distributed funds for Major Projects and Emerging Needs, funds allocated to the MARC region, and/or other public or private funds. MoDOT worked with MARC and the community to select one reasonable alternative that is the priority for the region to be included for construction in the 2008-2012 STIP. The selected alternative is considered the priority for the region.

Based on the outcome of this study MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012. Since the study area in this NEPA document does not include Missouri Route 9 north across the Missouri River, the appropriate environmental documentation and clearances will be completed as the bicycle/pedestrian project moves forward. MoDOT will continue to work with MARC and the community on an appropriate design for the improvements to the Heart of America corridor.

---

---

Sidewalks will be replaced in locations where they currently exist.

**APPLICABLE REFERENCE:** Chapter IV, F, 3, of the DEIS and Summary of the FEIS.

---

**COMMENT CODE:** 21A

**SOURCE:** U.S. Department of the Interior

**RESPONSE:** Comment noted.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 21B

**SOURCE:** U.S. Department of the Interior

**RESPONSE:** The DEIS discusses impacts on aquatic species and migratory birds, from the possible removal of the Paseo Bridge, in the construction impacts section of Chapter IV.

The hydrographic survey performed in March 2006 showed very little habitat diversity in the area of the existing bridge or in the project footprint for the construction of the new bridge. It could be assumed that pallid sturgeons use the project area for migration to suitable spawning and over-wintering areas upstream and downstream of the Kansas City, Missouri area. However, it is unlikely that there will be an adverse effect on this species, given the lack of habitat diversity.

**APPLICABLE REFERENCE:** Chapter IV, S, 6 of the DEIS and Appendix G letter to USFWS in the FEIS.

---

**COMMENT CODE:** 21C

**SOURCE:** U.S. Department of the Interior

**RESPONSE:** There are no public drinking wells or sole-source aquifers within the study corridor, however wells are located within one mile of the corridor. These wells are located up gradient from the study area, and assumed to be installed to prohibit near surface influence. The water is also treated before use. Therefore, no immediate effects are anticipated. Vegetated slopes and swales, and detention systems in appropriate locations can provide treatment of potentially polluted runoff from the roadway, thereby avoiding or minimizing impacts to groundwater quality.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 21D

**SOURCE:** U.S. Department of the Interior

**RESPONSE:** Prior to construction activities taking place, threatened and endangered species of wildlife surveys may be necessary to determine if special considerations are appropriate to minimize adverse impacts. If demolition of the existing suspension bridge is chosen, MoDOT and FHWA will work with the USFWS and the contractor to monitor the river with tracking equipment for any radio tagged sturgeon during demolition activities. If bridge demolition is

---

---

necessary, MoDOT will conduct a survey of the bridge for the presence of migratory birds. If any are present, the USFWS has recommended scheduling demolition outside of the April 15 to August 1 nesting season, to the extent possible.

**APPLICABLE REFERENCE:** Summary of the FEIS and Chapter IV, N, 2 and Chapter IV, S, 6 of the DEIS.

---

**COMMENT CODE:** 22A

**SOURCE:** Mid-America Regional Council (MARC)

**RESPONSE:** The Purpose and Need was originally developed in support of the regional goals and objectives of Transportation Outlook 2030 and the Northland~Downtown MIS as well as KCMO's "Focus" Plan.

The goals and objectives addressed in the Downtown Northland MIS were; System Preservation, Personal Mobility and Quality of Life, Safety, Land Use and Development, Regional Economy, System Management and Efficiency and Cost Effectiveness. It is important to note that the Downtown Northland MIS studied all three river crossings in the CBD and the "Preferred Strategy" in that report concluded that the I-29/I-35 (Paseo Crossing) is where additional highway capacity needs to be added. The transit and non-motorized strategies were identified in the MIS on other existing or proposed bridges in the CBD.

The Purpose and Need for the Paseo EIS was also developed in coordination with regional stakeholders, resource and regulatory agencies, as well the general public through an extensive public involvement process. The overview of the Purpose and Need, in Chapter I, outlines six items deemed as the critical project needs for this project, all of which helped to frame the alternatives development and evaluation process. The Purpose and Need has been revised to reflect consideration of non-vehicle travel modes. The Purpose and Need of the project is to efficiently and safely move people goods and service from north to south of the river in the I-35/I-29 corridor."

**APPLICABLE REFERENCE:** Chapter I, B. MIS Preferred Strategy Report, Problem Definition, Section 4.0 Transportation Goals and Objectives, Preferred Strategy Section 1.0, page 1, Section 4.0, page 2.

---

**COMMENT CODE:** 22B

**SOURCE:** MARC

**RESPONSE:** As stated, the proposed action in the DEIS used the work done on the Northland~Downtown MIS completed in 2002, as a starting point. In the MIS the preferred strategy component for transit and pedestrians was an new crossing of the Missouri river for transit, bikes and pedestrians. Since that time the regions preferred strategy for the regions transit plan has changed. The regions long range transportation plan, Outlook 2030 includes the "Smart Moves" transit plan that was developed in conjunction with MARC, KCATA, RTA and FTA. A new bridge is no longer a desired component of the transit plan and there is an existing BRT line operating in the Heart of America Bridge corridor. Future "Smart Moves" plans include this line.

---

In the Downtown Northland MIS, fixed guideway transit, and HOV lanes were analyzed on I-29.

---



---

The MIS looked at four lanes plus two lanes for HOV for a larger area than the I-29/35 Study Corridor during southbound AM peak hour. The DEIS looked at six lanes, reserving two for HOV and showed a minimal travel time savings with a similar result of less person trip movement with HOV lanes than with the multi-purpose lanes. HOV was not shown to be cost effective for mitigating congestion. However, strategies such as HOV lanes are not precluded and can be considered in the future.

The I-29/35 DEIS is a separate and more detailed study of that proposed action and does not, nor has it in the past, included a dedicated transit bridge with accommodations for non-motorized transportation needs.

**APPLICABLE REFERENCE:** Summary and Chapter II of the DEIS and FEIS. MIS Preferred Strategy Report, Transit and Travel Demand Section.

---

**COMMENT CODE:** 22C

**SOURCE:** MARC

**RESPONSE:** Same response as 22B.

**APPLICABLE REFERENCE:** Summary and Chapter II of the DEIS and FEIS. MIS Preferred Strategy Report, Transit and Travel Demand Section.

---

**COMMENT CODE:** 22D

**SOURCE:** MARC

**RESPONSE:** The crash analysis contained in the DEIS supports the need for enhanced safety design within the study corridor. Other strategies, like the ones given in the comment, could be employed. However if changes are made as indicated in the Preferred Alternative, these will address the known causes of crashes in the corridor.

**APPLICABLE REFERENCE:** Chapter I of the DEIS.

---

**COMMENT CODE:** 22E

**SOURCE:** MARC

**RESPONSE:** The analysis indicates the current truck percentage is 10 percent of the total ADT. This is based on traffic counts in this area and while a significant decrease or increase is not expected, it is understood that there may be fluctuations over the next 20 to 30 years. The Preferred Alternative reflects features to better accommodate truck traffic and the movements that they need to make in the corridor. Specific design considerations on how trucks may be accommodated in the study area will be examined in further detail during the design phase of the project.

**APPLICABLE REFERENCE:** Chapter I of the DEIS.

---

**COMMENT CODE:** 22F**SOURCE:** MARC

**RESPONSE:** There have been communications with the local governments and their planning groups regarding future development in the corridor at a level of detail that is consistent with the information available regarding these developments. MoDOT is committed to continued coordination with North Kansas City regarding future development as these plans become known and working with the city to address these needs in a reasonable manner. As stated earlier, MoDOT is committed to looking at options for new transit opportunities and to completing a separate study to look at the best location of a bicycle and pedestrian crossing over the Missouri River in the study area.

**APPLICABLE REFERENCE:** None.

---

**COMMENT CODE:** 22G**SOURCE:** MARC

**RESPONSE:** MARC's Congestion Management System (CMS) incorporates a "CMS Toolbox" with strategies related specifically to highways which include:

- a. Increasing Number of Lanes without Highway Widening
- b. Geometric Design Improvements
- c. HOV Lanes
- d. Super Street Arterials
- e. Highway Widening by Adding Lanes

These items were looked at during the initial concept stage. Some of these items were not carried forward for further evaluation as stand-alone options because they did not meet purpose and need. Others are included and carried forward in the Preferred Alternative.

**APPLICABLE REFERENCE:** Chapter II, C. and D of the DEIS.

---

**COMMENT CODE:** 22H**SOURCE:** MARC

**RESPONSE:** The Initial Concepts included a High Capacity Transit Concept and a Bicycle and Pedestrian Concept. These concepts fell out as stand-alone concepts as they did not address the Purpose and Need of the project. However, MoDOT is committed to looking at opportunities for future transit accommodations and to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

Crossings of the interstate will be considered during the design of the interchanges in the current project.

The facility's design as described by the Preferred Alternative will provide for better movement of truck and transit traffic throughout the corridor and accommodate for those large-vehicles in the design of interchanges and intersections in the corridor. These changes will be looked at in

---

---

greater detail during the design phase of the project.

During the design of the project, MoDOT is also committed to evaluating how to enhance existing transit operations in the corridor.

**APPLICABLE REFERENCE:** Chapter II of the DEIS and Summary of the FEIS.

---

**COMMENT CODE:** 22I

**SOURCE:** MARC

**RESPONSE:** Recommendation #9 was used to revise commitment 2, now commitment 1 and draft commitment 21 in the Summary which now includes the proposed language.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 22J

**SOURCE:** MARC

**RESPONSE:** Recommendation #10 was used to revise commitment 17, now commitment 14, in the Summary. MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

Pedestrian and bicyclist considerations are discussed in the DEIS in Chapter IV, Section F. Sidewalks that currently exist will be replaced. Other pedestrian access will be considered during design. MoDOT is committed to getting input from the community about their interests and concerns related, but not limited to, community cohesion, connectivity and access. The MIS identified an opportunity to improve transit, bicycle and pedestrian connections across the Missouri River by constructing a multi-modal bridge adjacent to the Heart of America bridge to serve these needs. This opportunity was defeated as part of a city referendum which rejected funding for a light rail transit system.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 22K

**SOURCE:** MARC

**RESPONSE:** A new commitment, commitment 19, was added to the FEIS based on the proposed language in Recommendation #11.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 22L

**SOURCE:** MARC

**RESPONSE:** A new commitment, commitment 20, was added to the FEIS based on the

---

---

proposed language in Recommendation #12. The MIS looked at four lanes plus two lanes for HOV for a larger area than the I-29/35 Study Corridor during southbound AM peak hour. The DEIS looked at six lanes, reserving two for HOV and showed a minimal travel time savings with a similar result of less person trip movement with HOV lanes than with the multi-purpose lanes. HOV was not shown to be cost effective for mitigating congestion. However, strategies such as HOV lanes are not precluded in the study corridor and can be considered as part of a regional HOV strategy in the future.

**APPLICABLE REFERENCE:** Summary of the FEIS.

---

**COMMENT CODE:** 23A

**SOURCE:** City of Kansas City, Missouri Board of Parks and Recreation Commissioners

**RESPONSE:** The Initial Concepts included a High Capacity Transit Concept and a Bicycle and Pedestrian Concept. These concepts fell out as stand-alone concepts as they did not by themselves, fully address the Purpose and Need of the project. However they are described as supportive elements to the Preferred Alternative. As such, MoDOT has committed to work with MARC and KCATA along with others to analyze transit services and look for opportunities to support the KCATA to enhance transit in the study area. MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

Crossings of the I-29/35 interstate corridor will be considered in the detail design of the interchanges in the corridor. These commitments are being made in an effort to continue to look for opportunities to increase modal choice.

The proposed action is shown to relieve congestion on I-29/35, thereby discouraging the use of alternative routes such as the Paseo Boulevard. Thus, the proposed action is not shown to result in increased traffic on this route. The concepts indicated in the EIS would tie into the existing Paseo Boulevard and will not require any relocation of this boulevard. The concepts also do not preclude a realignment of the Paseo Boulevard and will not require any relocation of this boulevard. The concepts also do not preclude a realignment of the Paseo Boulevard as indicated in the conceptual alignments completed by the Kansas City Parks and Recreation Department and represented on the conceptual drawings in this EIS.

**APPLICABLE REFERENCE:** Summary, Chapters I and II of the DEIS.

---

**COMMENT CODE:** 23B

**SOURCE:** City of Kansas City, Missouri Board of Parks and Recreation Commissioners

**RESPONSE:** Figure S-4 has been corrected to show Berkley Park and Riverfront Park in the appropriate locations. Riverfront Park has also been added to Exhibit III-1 and III-5 although it is outside of the study corridor. Parklands and access to those areas are addressed in the EIS.

MoDOT is committed to letting for construction a reasonable and safe bicycle/pedestrian facility crossing the Missouri River along Missouri Route 9 between 10<sup>th</sup> Avenue in North Kansas City and 3<sup>rd</sup> Street in Kansas City via the Heart of America Bridge by 2012.

The portion of the Paseo considered in the I-29/35 project's APE is approximately one block north of Admiral or 7<sup>th</sup> Street and was not included in the previous historical surveys or NRHP

---



---

assessments of the parkway. Because it was not completed until after 1950 and is not historically associated with the Paseo, MoDOT, the SHPO and City of Kansas City, Missouri concur that the small section of the Paseo in the I-29/35 project area does not constitute a contributing element of the historic Paseo. Furthermore, that particular one to two-block area where the Paseo has been extended north of Independence before terminating at I-29/I-35/Midtown Freeway has changed substantially since the 1950s, primarily the result of previous transportation improvements involving the construction of the interstate. Thus, it is concluded that this modern portion of the Paseo lacks historical significance and integrity and should remain excluded from the historical boundaries of the Paseo, 7<sup>th</sup> to 79<sup>th</sup> Street.

**APPLICABLE REFERENCE:** Summary, Chapters III and IV of the DEIS and FEIS.

---

